HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 14, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Jeremiah 45: 5: *Seekest thou great things for thyself? Seek them not.*

O Thou merciful and gracious God, grant that the policies of government and the legislation which our President, our Speaker, and the Congress are seeking to enact may redound to Thy glory and enable mankind to find the happier and more hopeful way of life.

We earnestly beseech that the minds and hearts of the representatives now assembled for the Disarmament Conference may be flooded with the light of a lofty moral idealism.

May they be eager to cultivate and manifest those virtues and inner resources which will make all the nations truly great and strong.

Show us how we may expand our ranges of contact and sympathy with the weaker and less fortunate members of the human family who are finding the struggle of life so very difficult.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

TAX ON GAMBLING

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, when the Congress, in 1951, imposed a Federal tax on every gambler it was the opinion of our legislators that this levy would pump into the Treasury $400 million a year. This appeared to be a reasonable estimate based on the fact that the gamblers' take was about $4 billion a year.

How successful has this 10-percent tax on gross earnings of gamblers worked out?

Mr. Speaker, to put it very mildly, I would say that it has been a complete flop.

In 10 years of operation, the gamblers have paid into the Treasury a little over $7½ million for their $50 stamps and about $67½ million out of their earnings. This total of $75 million is a far cry from the $4 billion that should have been collected by Uncle Sam if the original estimates had proved correct.

Mr. Speaker, it should be obvious to all that this tax has failed not only as a revenue raiser but as a gambling stopper. As a matter of fact, although gambling in the United States has risen to become a $50 billion industry only 12,820 persons have confessed being gamblers by paying their Federal tax.

Mr. Speaker, is it not time that we stopped hypocrisy and really faced reality? It is difficult for most of our American taxpayers to understand the double role played by our Government. While we assume a sanctimonious attitude about gambling, we do tax gamblers, gambling winnings and admissions to racetracks. Are we not really engaged in a game of hypocrisy?

Mr. Speaker, while we persist in refusing to fully capitalize on the natural gambling spirit of the American people, gambling moneys are supporting organized crime. There is only one way to strike a real blow at organized crime and that is through a national lottery. A national lottery would not only satisfy the people's appetite to gamble—it would not only provide a sensible and satisfactory solution to our problem of gambling and crime but it would pour into our treasury $10 billion a year in additional revenue.

Mr. Speaker, only through the tremendous revenue producing features of a national lottery can we bring tax relief to our wage earners and start reducing our national debt.

COMMITTEE ON ARMED SERVICES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

IMPORTS OF COMMUNIST PRINTED MATTER SHOW SHARP INCREASE

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I have previously pointed out that no one in or out of Government knows exactly how much Communist propaganda is coming into the country to be delivered free of charge. We know it is a huge amount but we have no accurate figures because a check is made at only 3 of the 150 U.S. ports and subports.

We do know that the volume of printed matter is increasing monthly. I call to the attention of the House that in one port alone the amount of this material increased by 300,000 pieces in January as compared with December. The January 1962 estimate of printed matter entering this country from Communist nations through this one port alone rose to 923,383 pieces. If the volume at all 150 ports and subports were measured and tabulated, no one knows how high the total might be.

This inflow of Communist printed matter which increased nearly 50 percent in January to a monthly flow nearing 1 million pieces in only one port is but part of the story. Much of the Communist propaganda—probably half—is sent to this country from this side of the Iron Curtain, prepared and mailed by Communist Party organizations or front groups.

This material is delivered free of charge by the Post Office Department and adds to the postal deficit. The House has acted to force an end to the subsidy of Communist propaganda by the U.S. taxpayer. The Senate will soon consider this matter.

TO AMEND THE FEDERAL AVIATION ACT OF 1958

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 561 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes, with the Senate amendment to the House amendment thereto be, and the same is hereby taken from the Speaker's table; that the House disagrees to the Senate amendment to the House amendment to the said bill and agrees to the conference requested by the Senate on the disagreeing votes thereon.

CALL OF THE HOUSE

Mr. HEMPHILL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 35]

Andersen, Minn	Ellsworth	Moulder
Andrews	Glenn	Norrell
Avery	Grant	Pelly
Bennett, Mich.	Gray	Powell
Blitch	Hansen	Rains
Bonner	Harrison, Va.	Roberts, Ala.
Breeding	Hoffman, Mich.	Shelley
Cahill	Horan	Smith, Miss.
Celler	Huddleston	Spence
Cooley	Kearns	Steed
Davis, Tenn.	Kitchin	Weaver
Dawson	Macdonald	Winstead
Diggs	May	
	Miller, N.Y.	

The SPEAKER. On this rollcall, 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TO AMEND THE FEDERAL AVIATION ACT OF 1958

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN] 30 minutes and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 561 merely provides for sending the so-called supplemental airlines bill, S. 1969, to conference. There is some controversy

over this matter. There was no division as I remember it in the Rules Committee over sending it to conference.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield at this time to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, I want to voice my support of the House bill as passed last fall, plus the amendments voted by the Senate last week and to express the hope that the House conferees will insist on that position. You all know of my interest in this legislation, growing out of the tragic crash at Richmond, Va., last fall, carrying military recruits from my district. The tragedy was not so much the crash, but the fact that it resulted from callous indifference and almost willfully negligent operation. The CAB's report on that crash, issued a few weeks ago, was one of the worst indictments in the history of aviation.

We can no longer continue the kind of operating authority that attracts to the air carrier business managements of the kind that was in charge of that company. One of the main purposes we have in passing new legislation in this field is to prevent that from happening.

As to the Senate's amendments of last week, they are helpful. They do not go as far as I would consider ideal, but they tighten up the law considerably and impose more specific fitness requirements.

The part of the Senate bill which was written last summer, however, still has several undesirable features. The worst of these is the one giving the Board power to grant broad individually ticketed authority to these carriers. That authority has been used by some of the nonskeds ever since the end of World War II. In every year since then—every year, mind you—at least one, and often several, nonskeds have been engaged in regular, continuous, flagrant violation of that authority. The violation always takes the form of exceeding the limitations the Board tries to impose on the extent to which the carrier is authorized to use this authority. Example: authority to fly 10 round trips a month; a carrier simply flaunts it and flies 30, or it forms a "combine" of several carriers that pool their permissible number of flights and hold out to the public that they are just 1 airline with rights to operate an unlimited amount of service.

Enforcement cases against such carriers drag on through 7 years of procedural delays, while the carriers reap their illegal—and very large—profits. This is why ticketed authority has attracted the worst elements of this business, and managements that are scornful of the economic limitations imposed on them will be scornful of safety requirements too. Imperial Airlines proved that, conclusively. We can no longer have in this business managements that are not absolutely reliable in all respects. And this means that we can no longer permit ticketed operations, because the law violators swarm to that field of business like bees to honey.

We have almost 20 years of proof that economic limitations cannot be enforced. The Chairman of the CAB admitted this to Mr. HARDY's subcommittee in January. The Board has recently retracted virtually all aspects of its own request for power to authorize such service. The FAA has endorsed the CAB's opinions as to such matters of economic regulation. In the debate in the Senate on the amendments of last week several Senators expressed their opposition to the ticketed rights authorized by their own bill, and indicated they were nevertheless supporting the bill so that it could get to conference without delay, with the thought that this provision would be deleted in conference.

Under all these circumstances I am sure that the House conferees will insist on "charter only" authority, as provided by the House bill, and the House ought to support that position to a man just as it did last fall.

The Senate bill also has a definition of charter authority which would let a nonsked carry anyone, anytime—much more than even our main trunklines have authority to do—if only the carriage is part of a so-called all-expense tour. The result would be phony tours in which the only significant item was the air fare. And the fare would be far below regular airline fares, because of the lack of obligation on the part of nonskeds to serve small towns and to fly at stated times regardless of load. This would be ruinous—the worst kind of unfair competition.

I am sure that our conferees will maintain the House position on these points. The chairmen of the committee and the subcommittee deserve warm commendation for their resistance to the pressures and the shamefully misleading lobbying that has been carried on as to this legislation, and for the responsible positions taken in the House bill. They have my praise and my thanks.

Mr. WILLIAMS. Mr. Speaker, in order that Members of the House may be informed of the various provisions of the House bill and the Senate amendments, I am inserting herewith a very brief résumé of these points. This résumé is in abstract form, but I believe will be sufficient to cover generally the points in issue. We ask, Mr. Speaker, that we be permitted to take this matter to conference with the Senate. I am confident we can bring a good bill back for consideration by the House.

Briefly, the supplemental air carrier bill passed by the House September 18, 1961, would:

First. Authorize the Board to issue certificates to supplemental carriers to conduct charter operations.

Second. Authorize individually ticketed service on a temporary basis for special situations under regulations of the Board.

Third. Permit the Board to expedite procedures in authorizing such temporary service.

Fourth. Grant interim operating authority in the nature of grandfather rights to permit operations until the Board can pass upon applications for new certificates provided for by this legislation.

Fifth. Permit the Board to impose civil penalties for violations of the economic provisions of law and regulations issued thereunder to deter illegal operations.

The original Senate version of this legislation differed from the House bill in two major respects. Unlike the House version, the Senate bill, first, contained a statutory definition of charter; and second, authorized the Board to permit individually ticketed or waybilled service between designate points.

The latest Senate version also has an added provision to authorize the Board to grant the cargo carriers charter authority.

As a result of several suggestions for amendments to give the Board additional authority to weed out unsafe and unsatisfactory operators, the Senate last Thursday adopted a number of amendments which will be considered in conference. Briefly these include:

First. A new provision authorizing the Board in its discretion, to require the supplementals to furnish performance bonds or carry liability insurance, or both.

Second. Authority for the Board to prescribe minimum service requirements and permitting suspension or revocation of a certificate for failure to provide such minimum service.

Third. A new section providing for suspension or revocation of a certificate for failure to file financial reports or failure to meet minimum standards of financial fitness.

Fourth. A revision of the provisions relating to interim certificates in the nature of grandfather rights so as to make the issuance of such interim certificates discretionary with the Board; give the Board complete discretion as to the terms, conditions, and limitations of these certificates, rather than requiring that such interim certificates contain the same authority which the carriers now have; condition the grant of such interim certificates upon a determination that the application is fit, willing, and able to perform supplemental air transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board and the Administrator of the Federal Aviation Agency; to terminate, not more than 90 days after the enactment of the proposed legislation, the class of supplemental air carriers which the Board has attempted to create by its previous orders, and to extinguish all existing authority for supplemental air carriers, whether that authority may be derived from an exemption, a certificate, or other order of the Board. This provision would wipe the slate clean and permit the Board to start over again with the certification of a new class of supplemental air carriers to be set up by the legislation which is finally agreed upon and enacted into law.

Mr. BOLLING. Mr. Speaker, I reserve the balance of my time.

Mr. BROWN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as the gentleman from Missouri [Mr. BOLLING], a member of the Rules Committee, and my colleague on that committee, has explained, House Resolution 561 would provide for send-

ing to conference S. 1969, a bill designed for the purpose of, if I may use that vernacular, putting some straps, or a few controls, on these supplemental airlines which have been operating all over the country and, incidentally, killing a few American boys now and then, who, being in the military service, are passengers on some plane which has been chartered by the Government from some supplemental airline.

There is not a great amount of controversy over sending this bill to conference, but rather over the content of the bill itself. As I understand the situation, as we have had it explained to the Rules Committee, and from our study of the situation, the bill which was approved by the House and by the House Committee on Interstate and Foreign Commerce was a much better bill than the Senate bill, a much tighter bill, a much stronger bill, for the protection of those who may use these so-called supplemental or independent airlines, under charter, or in any other way. The Senate bill weakens the provisions of the House bill greatly, so that there is some real question whether or not it can or will give the protection the users of these independent supplemental airlines are entitled to receive.

We have had some terrible accidents, and some shocking testimony, in connection with some of the accidents in which these supplemental airlines have been involved. One plane, you remember, went down near Richmond, Va., with a group of young draftees who were marched on the plane under military orders. There was testimony later that there had been placed on that plane a lot of second-hand, inaccurate, and inadequate parts and equipment. Those boys were killed because of negligence, because there was not proper enforcement or supervision under the law by some of our Federal agencies, the CAB and others.

Out in Ohio a team of football players from a California college, playing against an Ohio team, was traveling under charter in one of these supplemental or independent airline planes. The plane crashed when it took off under poor handling and poor supervision, in a bad fog, and most of those boys were killed. Up to today there has not been a single dollar, as I understand it, paid to any of their families as damages. There is no way they can collect from the airline or charter group. Some of those boys were buried through charity. Others, in hospitals, are being supported by contributions taken up among the students of Pacific coast schools.

I say to you all this is an outrage, and that such situations should not be permitted to exist.

The House Committee on Interstate and Foreign Commerce has tried to do a good job. I am sure I speak for the chairman of that great committee, because he testified before the Rules Committee, that it is his desire, and the desire of the House conferees, not to loosen further, but to tighten up, on this bill; not only to get the provisions of the House bill accepted in conference, but even to strengthen the House bill and the present law so greater protection will be given to those who may use these independent airlines.

I hope, before we get through with this legislation Congress may find out just why some of our Federal agencies, who have the responsibility to check the operations of these kind of planes in the air have been so apparently negligent in performing their duties.

I do think this legislation is very important. I do feel that if this bill does not go to conference these independents will be permitted to continue to operate as they are now, without any real control or any real protection, for those who may be inveigled into using them, or who may travel on one of these planes without realizing or knowing the type of service it is, and the danger they may lose their lives, like the scores of young men who have already lost their lives in these recent terrible tragedies in the air. Therefore, I am supporting the rule to send this bill to conference. I do hope the conferees on the part of the House will do everything within their power to strengthen the restrictions and the safeguards on this type of air travel services.

Mr. BOLLING. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Speaker, I rise at this time to inform the House that three of these boys who were killed in the terrible airplane crash in Ohio were boys from my 23d Congressional District, California. I wish to say that the whole great 23d Congressional District is up in arms, and while expressing most understanding sympathy to the parents and immediate families of these distinguished lads who were members of that championship athletic team, they are making it clear to me with frequent demands that the rules applicable be tightened and made as safe as humanly possible in the control and operation of these supplemental airlines. It is on one of this type of planes which crashed and carried to their death these three fine lads of Los Angeles County in my congressional district.

I wish to ask the distinguished chairman of the Committee on Interstate and Foreign Commerce, Mr. HARRIS, if I may, will this conference report go as far as possible to the extent of strengthening the necessary regulations so as to afford protection against future crashes of this kind which, I believe I am reliably informed, was occasioned by recklessness, carelessness, and utter disregard for safety factors, such as were also described by the gentleman from Ohio [Mr. BROWN], on this floor just a few minutes ago?

I yield to the gentleman from Arkansas, the distinguished chairman of our Interstate and Foreign Commerce Committee.

Mr. HARRIS. First, with the gentleman's permission, let me say that I share the same feeling as the gentleman from California and the gentleman from Pennsylvania [Mr. WALTER], and others with reference to any air tragedy. I share the same feeling, that we in the Congress and those in the industry and everyone operating the airlines should do everything we can to avoid and prevent any such tragedy in the future.

Let me also say in view of the unfortunate situation with reference to the supplemental airlines mentioned, I would not have the Congress get the impression that supplemental operations are the only type of air carriers that have tragic accidents. Just a few days ago, there was the terribly tragic accident involving the new Boeing 707 where all aboard suffered tragic results. So let us not delude ourselves in arriving at a conclusion that accidents are limited to supplemental air carriers.

It is also the feeling of the committee that there is not the adequate regulation under the provision of law for the supplemental air carriers to meet the safety requirements, and some other requirements that we have with reference to commercial airline operation. It is our purpose to try to bring about as adequate regulation as we can to provide all the authority within the purview of our own belief in the free enterprise system, to insure safety, reliability, and responsibility as far as possible through legislation.

Mr. DOYLE. Mr. Speaker, with that assurance, I wish to thank the gentleman, and urge the conferees to write their report. Furthermore, not 1 cent of compensation has been allowed to, or received by, the families of any of these lads. This to me seems a further just criticism and I intend it as a vigorous condemnation toward the total picture resulting from that tragedy—and, I am advised, an unnecessary tragedy at that, if the owners of that supplemental line had been obedient to the safety of its passengers.

I urge the conferees to write their report with the safety of air traffic paramount and with regulations which prohibit and make impossible such planes as the one that caused these deaths—so ill equipped to get off the ground, or to be entitled to a certificate to even try to get off the ground. I know that you and each of you, my colleagues, join with me in extending our utmost sympathetic expression to the families of all these lads who suffered their untimely deaths on account of the apparent violation of reasonable regulations, or the deliberate ignoring thereof.

Mr. HARRIS. And we will undertake to carry out that purpose, if we can get to conference, insofar as we can under the rules.

Mr. BOLLING. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Speaker, the bill which the Senate has sent to the House on the supplemental or nonsked airlines contains certain amendments which, if they are enacted, would empower the CAB to cope in a more efficient fashion with the law violations of the supplemental airlines. I have reference to the amendments which would: first, give the CAB power to eliminate dormant certificates which have been a source of continuous abuse over the past decade; second, the amendment which empowers the CAB to eliminate law violators by revoking their certificates; third, the provision which empowers the CAB to exercise continuing review of those few carriers who are fit and able to operate;

fourth, the provision which requires the CAB to act expeditiously on nonsked certificate litigation, thereby preventing the long delays that customarily exist in CAB litigation; and fifth, the provision which requires performance bonds and liability insurance.

These amendments, if the CAB is commanded by the Congress to exercise them with diligence and energy, are a step in the right direction. However, I feel that it is absolutely necessary that every Member of the House recognize that these provisions will not be worth the paper they are written on if the House does not insist that the nonskeds be confined to charter operations and the supplemental operations provided under section 417.

During the past 15 years the CAB has been unable to maintain order and to enforce the law with respect to the individually ticketed operations by the nonsked supplemental air carriers. Several nonskeds have operated regularly scheduled individually ticketed operations in violation of the Federal Aviation Act. The CAB was slow to process its enforcement cases and after long delay when the administrative decision was issued, the nonskeds took the decision to court and exploited every dilatory tactic available to continue their operations despite their illegality. The Chairman of the CAB summed up the situation during his testimony before the distinguished Congressman from Virginia [Mr. PORTER HARDY] in recent hearings on the Imperial disaster, when the CAB Chairman admitted the CAB has been at the mercy of the nonsked carriers.

It is beyond dispute that the individually ticketed authority which the Senate bill would provide is potentially much broader than the past unenforceable system. Moreover, the Senate would grant the nonskeds the right to carry so-called all-expense-paid tour business. In the past, adequate regulation failed because it was impossible for the CAB to police each flight conducted by the nonskeds. Under the Senate bill, the CAB would be required to police each passenger to determine whether he was a bona fide all-expense-paid tour passenger. This is clearly less workable than the already proven unworkable system. In addition, the Senate bill would grant passenger rights to the all-cargo carriers. This amendment was never considered in hearings in either body. It would result in immense diversion from both the scheduled airlines and the supplementals. It would divert the all-cargo carriers from their primary mission of developing airfreight and it is completely unjustified and unnecessary.

Therefore, Mr. Speaker, I want to emphasize that the aforementioned policing amendments which would grant additional power to the CAB to clean up the nonsked industry are fine so far as they go but can be effective only if the House holds firm to its position that the nonskeds should have charter authority only and rights under section 417.

Mr. BROWN. Mr. Speaker, I yield 8 minutes to the gentleman from Illinois [Mr. COLLIER], a member of the committee who supported this bill.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I am happy to yield to my chairman.

Mr. HARRIS. In the first place, with the gentleman's permission, I should like to ask, Mr. Speaker, unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

TO AMEND THE FEDERAL AVIATION ACT OF 1958

Mr. HARRIS. Mr. Speaker, will the gentleman yield further?

Mr. COLLIER. I am happy to yield to my colleague.

Mr. HARRIS. Mr. Speaker, I am sure there are Members of the House who would like to be reminded of just what is the status of the supplemental air carriers legislation that we have before us. I know there is tremendous interest on the part of many Members, and I ask unanimous consent to extend my own remarks in the RECORD at this point to outline specifically just what the situation is and what the status is at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARRIS. Mr. Speaker, this legislation seeks to define the authority of the Civil Aeronautics Board with regard to the issuance of certificates to the so-called supplemental air carriers, previously known as the nonskeds.

This legislation has a long history, which we outlined at length when the Committee on Interstate and Foreign Commerce presented H.R. 7318 to the House last September 18, and which it is not necessary to repeat in detail here now.

The U.S. Court of Appeals for the District of Columbia found on April 7, 1960, that the Board lacks authority to license carriers to conduct limited operations to supplement the services provided by the scheduled operators.

Following this decision, the Board submitted to Congress proposed legislation to authorize the issuance of certificates to these carriers. Hearings were held in May 1960, but after considering the matter, your committee decided that the short time remaining before adjournment of the 2d session of the 86th Congress did not permit adequate consideration of the complex problem and recommended the enactment of temporary stopgap legislation.

Following that, Public Law 86-661 was enacted to permit the continuation of supplemental air operations until March 14, 1962.

Early in the 1st session of the 87th Congress, the Board again submitted a draft bill to authorize the issuance of limited certificates to the supplemental carriers. This bill was introduced as H.R. 7318 by the gentleman from Mississippi [Mr. WILLIAMS], chairman of the Subcommittee on Transportation and Aeronautics.

Hearings were held last June and, after extensive consideration by the subcommittee and in the full committee, the bill was substantially revised and reported to the House. The committee bill was passed by the House September 18, 1961, and substituted for the text of S. 1969, which was returned to the Senate.

The House and Senate bills differed in two major respects, both of which are very controversial.

The Senate bill would give the Board authority to permit the supplementals to conduct individually ticketed operations between designated points. The Senate bill contains a statutory definition of charter.

These provisions are retained in the Senate amendment which this rule would send to conference.

The other body did not take up the House amendment during the first session.

Following a tragic accident near Richmond, Va., November 8, 1961, in which 74 Army recruits and 3 crew members lost their lives, a study was made of the pending legislation to see what could and should be done to strengthen the authority of the Civil Aeronautics Board and the Federal Aviation Agency.

Early in this session, I and other members of the committee conferred with the chairman and other members of the Senate Subcommittee on Aviation regarding amendments proposed by the gentleman from Pennsylvania [Mr. WALTER] and others.

On last Thursday, the other body amended the House amendment and returned S. 1969 to the House, requesting a conference.

While retaining the major provisions of the Senate bill, the other body added a number of amendments to strengthen the bill and provide the Board with additional authority to weed out unsafe and undesirable operators.

This is very important legislation. The Board tells us there is a need for supplemental air carriers. The Department of Defense tells us they need supplemental air carriers.

The question of how much authority the Board should have in authorizing individually ticketed and individually waybilled operations by these carriers is highly controversial. There are other differences to be considered in conference.

We believe we can work out a good bill in conference. Therefore, the Committee on Interstate and Foreign Commerce asks for the adoption of this rule to send this legislation to conference.

Mr. COLLIER. Mr. Speaker, we face very urgent responsibility today. It is urgent because as of today the interim authority granted by the Congress to the nonscheduled airlines expires. That means that unless we act expeditiously on the matter before us these supplementals will operate illegally after today under illegal certificates issued by the

CAB some 4 or 5 years ago. I say illegal because, in fact, the U.S. Court of Appeals declared these to be illegal certificates; and that is why I say this legislation is urgent, not only from the time standpoint but also, needless to say, because of the seriousness of the legislation and the need for acting in this area and acting promptly.

I do not think it is necessary for me to discuss some of the many problems which this legislation involves; that is, those situations that are peculiar to different supplemental carriers. I presume those who follow me will do just that.

It was 6 months ago that by unanimous action of this House, Congress spelled out a set of ground rules within the legislation for the continued operation of the supplemental airlines; in fact, the other body also passed legislation some 6 months ago, yet here on the expiration date of the interim authority which was granted by the Congress, we have not thus far established a position insofar as Congress is concerned as to what the authority will be in the area of the continued operations of the supplemental air carriers.

I want to make it very clear that members of our committee had no thought or no intent of destroying this phase of the aircraft service. However, the record amply proves that there is need for a very specifically defined set of standards and limitations in this field. The record also quite clearly indicates that the CAB has been unable to police or enforce regulations that are essential to the welfare and safety of the American flying public.

Mr. BROWN. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I shall be very happy to yield.

Mr. BROWN. I am wondering if the gentleman, who has done so much work on this bill, will agree with me that it may be necessary also to require that these supplemental lines have adequate insurance and financial responsibility where they can meet any judgments that may be assessed against them in cases where negligence is proved.

Mr. COLLIER. May I say in answer to the gentleman from Ohio that I feel reasonably sure that whatever bill comes out of conference will be in the public interest.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield.

Mr. McDONOUGH. In addition can we be assured that the bill coming out of conference will also provide the essential safety factors that are necessary? The reason I ask that question is because I understand—and I am sure the gentleman is familiar with the fact—that there have been some serious air accidents as a result of supplemental or unscheduled airlines not conforming to the safety factors required. The public using these lines wants that assurance in any legislation passed out of the House.

Mr. COLLIER. I can only say to the gentleman I certainly cannot offer an ironclad guarantee on anything that might come out of conference on this bill; but, if it goes to conference, it would be my sincere hope that the position established by the House 6 months ago on this legislation would be reestablished by the House conferees when it goes to conference.

Now, Mr. Speaker, we should understand one thing in discussing this rule, and it is very important that we do, that if we do not take prompt action we are going to have a continued operation under illegal certificates. That is number one.

Second. The recourse would be litigation. All of us know there will develop a vacuum or a void by the absence of any final action on the part of this House as of tomorrow. These operations would in fact continue and this I do not think the House wants to occur since I am sure we know what our responsibility is. We have already, as I said before, firmly established our position here. I would hope again that the conferees will reiterate in conference the position of the House. I therefore urge support of the rule before us today.

Mr. O'BRIEN of New York. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I'm pleased to yield to the gentleman from New York.

Mr. O'BRIEN of New York. Is it the gentleman's belief that the legitimate, well-managed supplemental airline can live, can survive, under the terms of the bill passed by the House?

Mr. COLLIER. That is definitely my opinion. Repeating, there is no intent on the part of those who support this legislation to destroy a segment of our air travel service but simply to provide those standards that we think are essential and necessary for the safety and the convenience of the American flying public.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Ohio.

Mr. DEVINE. First I would like to associate myself with the remarks of the gentleman from Illinois and to compliment him for the studious manner in which he has approached this problem. I know of the long hours he has spent talking with various people in order to come to a fair and equitable solution in reference to a very serious problem. I would like to reiterate the remarks made by the gentleman that there is no intention whatsoever to destroy the supplemental carrier, but there is a need for firm, sound, solid regulation in this field. May I ask the gentleman if it is not a fact that the position of the House in this matter is a little more firm, a little less soft, than that taken by the other body?

Mr. COLLIER. I may say to the gentleman from Ohio that the bill as passed by this House 6 months ago is more stringent in spelling out the authority granted to supplemental carriers. Frankly, I believe it is better legislation.

Mr. DEVINE. The Member is one of the conferees?

Mr. COLLIER. I regret to say I know not who the conferees will be at this point and neither does anyone else except perhaps the distinguished chairman of the Interstate and Foreign Commerce Committee.

Mr. BROWN. Mr. Speaker, I yield 8 minutes to the gentleman from California [Mr. ROUSSELOT].

Mr. ROUSSELOT. Mr. Speaker, I rise in opposition to the rule, not because I do not believe the House committee has done as complete a job as is called for as the result of recent events. In my judgment the House Commerce Committee and the whole House has done a far better job than was done in the other body. My concern is because recent incidents, such as the Imperial crash in Richmond, Va., and the Presidential Airline crash in Ireland, additional information has been brought to our attention which should be considered before this measure goes to conference. I know I am very new here and that that is practically an impossibility, but I am delighted to hear the chairman of the committee say they plan to meet this afternoon to discuss this further. There are several amendments, in my opinion, that should be added that cannot now be accomplished because the Senate and House versions are a matter of record.

I

The fit, willing, and able to perform clause, of this legislation (S. 1969) is not adequately defined and the criteria I do not think are adequately indicated by the Congress of the United States. That has been brought out very clearly in the Chapman case which came before the CAB in 1958. Chapman's application for management and ownership control of U.S. Air Coach Airlines was the matter before the Civil Aeronautics Board. This case is one of many examples of the lack of criteria used to establish the grounds for complying with the "fit, willing, and able" clause of the Federal Aviation Act of 1938. This clause is applied by the Civil Aeronautics Board for all operators requesting certification.

Mr. Chapman, as shown in testimony before Civil Aeronautics Board examiner dated July 24, 1958, was not "fit, willing, and able" on the following grounds:

First. Mr. Chapman had no money to invest by his own statement.

Second. His only investment was the cost for several trips to the west coast and attorney's fees for processing the application and incorporation.

Third. In order to get the rights of the stock of U.S. Air Coach, had to borrow $15,000, which he immediately paid to Flying Tigers, who held these rights.

Fourth. He made a loan from the American Security & Trust Co. and the only security that he could advance was two R–2800 engines he claimed to own.

Fifth. It then was revealed that the stock that he had purchased from Flying Tigers was actually under the ownership of a third party by the name of Hutchinson, whom he, Chapman, had to satisfy with an additional $15,000 note.

Sixth. Before Mr. Chapman could operate U.S. Air Coach on Government contract, it was necessary for him to reduce a claim which the Government had against U.S. Air Coach of $125,000. It was then necessary to get the Government to reduce the claim to $10,000. The circumstances surrounding this reduction are somewhat questionable. He

accomplished the above without paying any cash.

Seventh. When asked as to whether he would need additional capital, his testimony was as follows:

Question. Do you have any other personal capital to invest in U.S. Air Coach at this time?

Answer. I do not.

Question. Do you feel that the operation can be carried on successfully without any capital?

Answer. Yes, because with the acquisition of the aircraft and the fact that we are factoring with Colonel Moore and getting immediate payment, his policy is immediately upon receipt of the TR the money is deposited to your account, we will have sufficient capital.

I believe this case is ample evidence that a double standard of criteria has been exercised by the Government agency under the "fit, willing, and able" clause as it applies to supplemental airlines. As a matter of fact, it is incredible that a man in this financial condition would qualify in the eyes of the CAB as "financially responsible."

II

I do not believe in S. 1969 that there is proper authority for the CAB to revoke a supplemental certificate on the ground that the carrier is not fit, willing, and able. We do give them the right to revoke a certificate under present law, but it is not clear enough that they have this authority to revoke a certificate on the clear grounds that the carrier is unfit, unwilling, and unable to perform.

III

The Senate was nice enough to include in their particular bill an amendment that calls for insurance, but this insurance is not mandatory. It is discretionary requirement on the part of the CAB, and I believe we should make it clear that it be mandatory for the protection of these passengers.

IV

Even if the insurance is mandatory, nothing protects the passenger when the CAB and the FAA discover violations, and the insurance companies can invoke disclaimer clauses, which it is their right to do. But there are very few insurance dispensing machines that you can find in the airports today that are dispensing insurance for this kind of supplemental air carrier. And why is that? Because these type carriers are a very poor risk on the basis of their present method of operation.

V

There are no mandatory provisions that I read in the bill for a performance bond which calls for payment of nonperformance on the part of supplementals. The Senate did include an amendment covering performance bonds. But I do not feel it is strong enough to encourage supplementals to provide the same kind of basic service that other airlines do.

The most important issue before us today is: How do we, as a Congress, guarantee the people who travel on these supplemental air carriers safer transportation? Many of these people are military personnel. About 80 percent of the business of these supplemental air carriers is by contract with the military branch of the Government. They are traveling under military contract for supplemental transportation service, and yet the history of these kind of carriers is anything but safe for the passengers. The service is not provided with the same care that other carriers are required to provide, under the standards that are supposed to exist for both.

I happen to know something about this, because there were two victims from my district in the Arctic-Pacific crash in Toledo, Ohio. To this day there has been no insurance paid, because the companies quickly went through bankruptcy. The victims and their families had little recourse at all. They have had no satisfaction in the courts, because there is nothing to attach. However, it is interesting to note that the hull insurance of that Arctic-Pacific plane was paid very promptly; but there is no protection for the families of the people who fly with these type of greedy, hidden owners.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from California.

Mr. McDONOUGH. Is not what the gentleman is saying in effect that there is a lack of responsibility evidenced here by two agencies of the Government? I would say it is the responsibility of the Secretary of Defense for his personnel and the responsibility of the CAB if they permit planes of this type to fly without proper regulations.

Mr. ROUSSELOT. That is correct.

Mr. McDONOUGH. Is there not a lack of responsibility in two instances here?

Mr. ROUSSELOT. I believe there has been a lack of responsibility not only on the part of the FAA which can enforce safety regulations.

It has almost dictatorial powers in enforcing safety regulations, but the CAB has been dilatory in assuring "financial responsibility." I placed in the CONGRESSIONAL RECORD yesterday, if you will look, a detailed analysis of the atmosphere of financial irresponsibility in which these supplemental carriers have been allowed to operate, which I think is disgraceful.

Mr. McDONOUGH. What about the responsibility of the Secretary of Defense?

Mr. ROUSSELOT. I will say in fairness to the Secretary of Defense, after the Imperial crash, that he moved very quickly to tighten the regulations that the MATS allow in regard to this kind of travel and contract out to private enterprise. Some of the military contract business goes to regular scheduled airlines on a charter basis, but much of it goes to supplemental airlines.

The Defense Department immediately issued a memorandum that only allowed eight of these supplemental aircraft carriers to continue doing contract work. Yet today there are 32 certificates outstanding, and there are 21 operating. The military then allowed only eight to continue to operate as the gentleman from Pennsylvania [Mr. VAN ZANDT] can testify, and as he brought out in his hearings, and in the report.

Why? Because there were a great number that did not meet certain minimum equipment requirements.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from California.

Mr. MAILLIARD. Is there anything in the Senate or House bills which would require financial responsibilty?

Mr. ROUSSELOT. Yes. Our House features of H.R. 7318 were much tougher. I believe the gentleman from Arkansas and his committee did a wonderful job in providing tougher requirements. But I believe the new Senate amendments are too loose in the way they are constructed. My suggestion as to why we should send this back to committee is simply this: I do not believe the Senate made all amendments tight enough. Too many actions become discretionary on the part of the CAB, and not mandatory. We could make these sections mandatory by sending it back to committee. A further note—financial responsibility enforcement has already been given to the CAB, but they do not always apply the same standards to supplemental carriers. If the CAB would do this, with the authority it has, the situation could be improved.

Mr. MAILLIARD. If the gentleman will yield further, does the gentleman feel it would be possible to come out of the conference with a bill which would prevent such a situation as the crash in Toledo, where the insurance company has disclaimed responsibility and where there is no financial responsibility on the part of the operators, and so far as we can tell these people will be left completely without recourse?

Mr. ROUSSELOT. The CAB, I believe, can do this anyway, and has had the power to do this. I believe the trouble has been that they have been waiting for congressional direction when it was not necessary. The answer is that I believe this bill goes a long way toward this goal, but it does not go far enough. That is my concern. That is why I oppose this rule.

Further, let me say this: The whole financial setup of the supplemental airlines, requires a full and complete investigation. I have submitted a bill to the Rules Committee—House Resolution 551—which I hope will soon go to the Banking and Currency Committee, because the real key to this problem has been the financial manipulations of these supplemental airline owners. Many of these supplemental organizations are merely a phony type of corporation; the corporate bank account is milked dry by the leasing corporations, the maintenance service centers, and some of the controlled insurance companies which charge excessive rates. With this heavy overcharging the "front" supplemental corporation is not in a financial position to operate correctly.

I put most of this material in the RECORD yesterday, and I hope that my colleagues will read it.

When S. 1969 does go to conference I hope our conferees will hold firm to the House position, as developed here today.

Mr. BROWN. Mr. Speaker, I yield the balance of the time to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker and Members of the House, my interest in the conference report stems from my membership on a special committee of the House Armed Services Committee, appointed by Chairman VINSON on November 8 to investigate the crash of Imperial Airlines, Inc., airplane at Richmond, Va., November 8, 1961. My colleague from Virginia [Mr. HARDY] was the chairman; the gentleman from Maryland [Mr. BREWSTER] was the other Democratic member, and I represented the minority.

The investigation conducted by this special committee of the House Armed Services Committee convinced me there was a total lack of responsibility on the part of the CAB and the FAA, as far as the Imperial Airlines accident is concerned. When the report was filed by Chairman HARDY, I therefore found it necessary to sponsor additional views, which I would like to read from at this time.

On page 3018 of the special subcommittee hearings, Administrator Alan Boyd of the Civil Aeronautics Administration had this to say:

While I am in accord generally with the views expressed by my colleagues, Mr. HARDY and Mr. BREWSTER, it is my opinion that the committee report and recommendations do not deal adequately with the situation resulting from the air tragedy on November 8, 1961, that took the lives of 74 Army recruits and 3 crewmembers.

On page 3018 of the special subcommittee hearings, Administrator Alan Boyd of the Civil Aeronautics Administration had this to say:

"The nature of the violations were in the economic area:

"(1) The submission of misleading financial data.

"(2) Ticketing irregularities.

"(3) Tariff violations.

"(4) Filing false statements with the Board."

On page 3073 of the hearings Najeeb Halaby, Federal Aviation Agency Administrator, said:

"A special inspection conducted in August, September, and November 1961 indicated the following discrepancies:

"(1) Use of uncertificated airmen on a revenue flight.

"(2) Noncompliance with airplane flight manual.

"(3) Failure to file a flight plan prior to a particular flight.

"(4) Unauthorized appearance on an aircraft flight deck.

"(5) A failure to list all mechanical discrepancies.

"(6) Ferrying aircraft without ferry flight authorization.

"(7) Absence of fuel records for the month of October 1961."

On page 3077 of the hearings I asked Administrator Halaby the question as to whether or not "there was confusion in the cockpit as the result of a conversation between the pilot and copilot as to who would pilot the ship. Does this cockpit confusion stem from lack of management?" Administrator Halaby replied:

"I would say it represents both."

In the CAB's accident report released on February 6, 1962, on page 24 the following is stated:

"From a study of all information available to the Board it is concluded that this flight crew was not capable of performing the function of assuming the responsibility for the job they presumed to do. The Board further concludes that the management personnel of Imperial Airlines should have been aware of the manner in which company operations were being accomplished. It is believed that the substandard maintenance practices of Imperial's employees were condoned by management. The manner in which maintenance personnel records were kept by the company confirms this conclusion."

Mr. Speaker, the statements of the Administrators of CAB and FAA, as well as the CAB report of February 6, 1962, very definitely show not only evidence of criminal neglect, in my opinion, but likewise a lack of responsibility.

I intend to support this conference report if I can have the understanding of the chairman of the House Committee on Interstate and Foreign Commerce that the House version of the bill being sent to conference will be insisted upon. Can I have that assurance from the chairman at this time?

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. Surely.

Mr. HARRIS. Of course, the chairman of the Committee on Interstate and Foreign Commerce, or any other member of the committee, cannot give assurance as to what the result of the conference will be.

Mr. VAN ZANDT. I did not ask that question.

Mr. HARRIS. Under the rules we have all of these questions—six or eight or more now—which the gentleman and others are interested in and which will be the subject of the conference. I think the House passed a good bill. I think, though, that since the House passed the bill in September, the attention of the country has been called to certain other requirements which the distinguished chairman of the Subcommittee on Armed Services [Mr. HARDY] and his committee, of which the gentleman himself is a member, developed; and they filed a very fine report with the House, which our committee has considered, some of the conclusions of which are included now in the bill that goes to conference. We are going to get the best bill out of it that we can.

Mr. VAN ZANDT. The gentleman has answered my first question. Let me ask the gentleman this question. In your opinion, and in the event the House bill prevails, Would a new set of standards for the CAB and the FAA follow as a step in the direction of preventing an accident of this type in the future?

Mr. HARRIS. First, let me say that the committee is complimented by comments that have been made on their work in bringing this House bill in. We appreciate that. We did work hard on it. But I think we should be realistic enough to recognize now that the bill as it passed the Senate on last Friday has provisions in it which are necessary, as the gentleman knows, because he recommended some of them. As to those provisions, they are better than what the House had.

As to the question of fitness and responsibility and tightening, the House bill was, I think, a better bill. The committee is going to do the best it can to get all of these better provisions in the conference report.

Mr. VAN ZANDT. With the understanding that the present law expires midnight tonight and there is need for this bill to be on the desk of the President as early as possible, is it the intention of the gentleman and his committee to take a look at this matter later on so as to make certain that the weaknesses in existing laws will be eliminated in an effort to prevent another Richmond tragedy?

Mr. HARRIS. I would say to the gentleman, if he will yield, it is the intention of the committee at this time to take a look and do something about it. We have been taking a look and what we are trying to do now is to do something about it. The committee has a continuing oversight on the administration. We have a special committee on regulatory agencies with reference to the function of the agencies, and the board as to their administrations. We have a subcommittee headed by the gentleman from Mississippi [Mr. WILLIAMS] who has a continuing supervision over the legislative features and the actions in the administration of these agencies and the industry itself. I would assure the gentleman that the committee, and particularly the subcommittee chairmanned by the gentleman from Mississippi [Mr. WILLIAMS], is at all times observing what is going on.

Mr. VAN ZANDT. I thank the gentleman.

Mr. Speaker, the eyes of the fathers and mothers, brothers and sisters of the 74 young recruits killed in this air crash are focused on the Congress at this time. They think and I agree that it is about time for Congress to take a hard look at this problem for the purpose of correcting the situation since it appears to have happened under a set of standards denying the CAB and the FAA the authority to do the job they were supposed to do.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Arkansas.

Mr. HARRIS. Certainly, I understand and appreciate the gentleman's great interest in this matter, but I must in all candor say to the gentleman that in my judgment the gentleman has no greater interest in these matters and no greater feeling about it than each and every Member of the Committee on Interstate and Foreign Commerce, and I would say that every Member of the Congress shares the same feeling.

Mr. VAN ZANDT. Of course that is understood, but I want to call your attention to the fact that the American people and especially the fathers and mothers concerned are not satisfied with the action taken to date by the Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. BOLLING. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I would like to say further to the gentleman from Pennsylvania that the American people

are not happy about any of these air tragedies and neither am I. So far as I am concerned and so far as the committee is concerned, we have made the best efforts it was possible to make and we are going to continue to do so. I wish it were possible to assure the gentleman from Pennsylvania that we would have no more air tragedies, certainly, such a tragedy as the one that happened with the Boeing 707 in New York the other day and others that we could refer to. But, unfortunately, in all probability there are going to be more air tragedies not only with supplementals but also with the commercial airlines and the Air Force as well, and it behooves us to do everything we can to provide the machinery and give as much assurance as possible that the best safety practices will be pursued.

The SPEAKER. The time of the gentleman has expired.

Mr. BOLLING. Mr. Speaker, I yield such time as he may require to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I feel there should be a brief résumé of the provisions of the House bill and the Senate bill and the amendments recently adopted by the other body, and that they should be included in the RECORD.

Mr. Speaker, I ask unanimous consent to extend my remarks immediately following the opening remarks of the gentleman from Missouri [Mr. BOLLING] and to include a brief explanation of the provisions of the bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. HARRIS, WILLIAMS, STAGGERS, FRIEDEL, BENNETT of Michigan, SPRINGER, and COLLIER.

TARIFF CLASSIFICATION ACT OF 1962

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution—House Resolution 564—and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10607) to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. HOFFMAN] and pending that I yield myself such time as I may consume.

The SPEAKER. The gentleman from California is recognized.

Mr. SISK. Mr. Speaker, House Resolution 564 provides for the consideration of H.R. 10607, a bill to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes. The resolution provides for a closed rule, waiving points of order, with 3 hours of general debate.

The purpose of H.R. 10607 is to provide for the adoption and implementation of revised tariff schedules proposed pursuant to law by the U.S. Tariff Commission and to make certain amendments in existing law necessitated by the adoption of such revised schedules.

In the Customs Simplification Act of 1954, as amended, the Congress directed the U.S. Tariff Commission to make a study of the provisions of the customs laws of the United States under which imported articles may be classified for tariff purposes and to compile a revision and consolidation of such provisions which, in the judgment of the Commission, will accomplish the following purposes:

First. Establish schedules of tariff classifications which will be logical in arrangement and terminology and adapted to the changes which have occurred since 1930 in the character and importance of articles produced in and imported into the United States and in the markets in which they are sold.

Second. Eliminate anomalies and illogical results in the classification of articles.

Third. Simplify the determination and application of tariff classifications.

The Tariff Commission made its study and report, which resulted in H.R. 10607. As soon after the present legislation is enacted as is practicable, the President will take steps which he deems necessary to bring the several trade agreement schedules of the United States into line with the new tariff schedules. This conforming process will not involve changes in the new tariff schedules; the trade agreement schedules will be changed to conform to the new tariff schedules. The only changes which can be made in the tariff schedules, after the enactment of this bill, will be those which the Tariff Commission files or are required to be made by virtue of legislation, court decisions, or authoritative administrative decisions, all of which necessarily must be reflected in the new tariff schedules.

As soon as the President has taken the action he deems necessary to bring the trade agreement schedules into conformity with the new tariff schedules, he is then required to proclaim the new schedules and the same will then become effective.

This bill does not in any way detract from or remove any of the existing provisions of law concerning judicial review of executive or administrative action. The present judicial review procedures will continue in force before and after the new tariff schedules are made effective.

Mr. Speaker, I urge the adoption of House Resolution 564.

Mr. HOFFMAN of Illinois. Mr. Speaker, the gentleman from California [Mr. SISK] has done a very able job in explaining the bill. Of course, it is going to clarify and straighten up a lot of difficulties that we have had in the past in our tariff schedules. It will put back all of the responsibility now on the Tariff Commission.

Mr. Speaker, I have no requests for time, so I reserve the balance of my time.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10607 to amend the Tariff Act of 1930 and certain related laws to provide for the reinstatement of the tariff classification provisions, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10607 with Mr. MACK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MILLS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the purpose of H.R. 10607, which was unanimously reported by the Committee on Ways and Means, is to provide for the adoption and implementation of revised tariff schedules proposed pursuant to law by the U.S. Tariff Commission and to make certain amendments in existing law necessitated by the adoption of such revised schedules.

In the Customs Simplification Act of 1954, as amended, the Congress directed the U.S. Tariff Commission to—

Make a complete study of all the provisions of the customs laws of the United States under which imported articles may be classified for tariff purposes.

And to—

Compile a revision and consolidation of such provisions of the customs laws which, in the judgment of the Commission, will accomplish to the extent practicable the following purposes:

1. Establish schedules of tariff classifications which will be logical in arrangement and terminology and adapted to the changes which have occurred since 1930 in the char-

acter and importance of articles produced in and imported into the United States and in the markets in which they are sold.

2. Eliminate anomalies and illogical results in the classification of articles.

3. Simplify the determination and application of tariff classifications.

The directive to the Tariff Commission called for the above to be accomplished without changing rates of duty other than those incidental rate changes which the Commission deemed necessary in order to accomplish the objective sought. When incidental rate changes were foreseen by the Tariff Commission as being involved in their proposals, the Congress directed that the Commission hold hearings and afford interested parties an opportunity to be heard with respect to the probable effect of any such suggested change on any industry in the United States.

The proposed new tariff schedules, in the opinion of your committee, constitute a marked improvement over the existing tariff provisions governing imports into the United States. While the proposed schedules do involve some incidental rate changes, the Tariff Commission advised your committee as follows:

In general, it can be stated that, to the best of the Commission's knowledge and belief, the proposed revised schedules do not involve significant rate changes. By this it is meant that, where rate changes have been proposed, (1) the change itself is small and would not affect trade, or (2) that the change, even if large in absolute amount, is unimportant because of the unimportance of the article in international trade.

On this point, the Commission also stated:

So far as can be determined, none of the suggested rate changes would adversely affect domestic industry.

Following its first efforts at setting up new tariff schedules, the Tariff Commission released proposed new schedules dealing with all of the articles of commerce involved in U.S. trade. Public hearings were held at various times during calendar years 1958 and 1959 at which interested parties were given opportunity to appear and to present their views relative to such proposed schedules. Approximately 1 month's time was devoted to these public hearings. Further, the committee is advised that the Tariff Commission staff held many conferences both in Washington and outside the city with parties interested in this matter from both a domestic producer and importer point of view. The Tariff Commission consulted also with other agencies of the Government and solicited and received assistance from such agencies.

In November of 1960, the Tariff Commission transmitted to your committee and the Committee on Finance the report of the results of its study. The proposed revised tariff schedules are set forth in the second volume of this report.

The first volume of the report consists of the Tariff Commission's formal submitting report, together with reprints of related material having to do with the Commission's approach to this task. The remaining eight volumes of the report each cover first, one particular proposed tariff schedule in question; second, the Tariff Commission's explanatory notes, including explanation of any incidental rate change included in such proposed tariff schedule; third, the provisions of existing law which are affected by such schedule; fourth, the draft schedule on which hearings were based; and fifth, the written statements received by the Tariff Commission from interested parties and the transcript of he testimony given at the public hearings held on such schedule. The proposed "tariff schedules of the United States"—the name of the composite proposed schedules—consists of eight new schedules. The Tariff Commission reported that public hearings were held, and interested parties were given an opportunity to be heard, with respect to all matters included within all eight proposed schedules.

Following receipt of the Commission's report of November 1960, your committee, in August of 1961, issued an invitation to interested parties to submit comments to the Committee on Ways and Means on the proposals of the Tariff Commission, as well as on a bill then pending before the House which proposed a procedure whereby the tariff schedules would be implemented.

The committee received numerous responses to this invitation. Many constituted endorsements of the Tariff Commission's proposals and the bill, while a few raised some questions with regard to certain matters. The committee then requested the Tariff Commission to look into those matters raised in these responses to the committee's invitation and to reexamine their decisions in the light of the substance of the responses.

The Tariff Commission established contact with the interested parties in question and arranged for conferences with such parties where such an approach was indicated. In October of 1961 the Commission announced a hearing covering the matters raised by these parties and the hearings were held in November. Again, the Commission conferred at length with many of the parties and also held further conferences with officials of other Government agencies.

The results of the Commission's reexamination of the proposed schedules are reflected in a supplemental report to the Congress submitted in January of 1962. As a result of this reexamination the Commission made certain changes in its original proposals which are included in this supplemental report. In the main, the changes made reflect inadvertencies called to the Commission's attention during the course of this reexamination as well as certain changes made because information was then supplied to the Commission for the first time. Thus, the tariff schedules of the United States which would be adopted and implemented by H.R. 10607 consist of the original proposed tariff schedules as changed in part by the supplemental report of January 1962.

The Commission's proposed schedules are now in a form which your committee believes warrants the Congress to take the steps necessary to allow their being put into effect and replacing our present outdated tariff schedules.

As soon after the present legislation is enacted as is practicable, the President will take steps which he deems necessary to bring the several trade agreement schedules of the United States into line with the new tariff schedules. This conforming process will not involve changes in the new tariff schedules; the trade agreement schedules will be changed to conform to the new tariff schedules. The only changes which can be made in the tariff schedules, after the enactment of the bill, will be those which the Tariff Commission finds are required to be made by virtue of legislation, court decisions, or authoritative administrative decisions, all of which necessarily must be reflected in the new tariff schedules.

Certain other changes, such as those necessary to correct errors or inadvertent omissions or to clarify language cannot be made until reviewed by the Congress. The Tariff Commission will hold hearings and give interested parties an opportunity to be heard with respect to any proposed changes in the tariff schedules, and the Commission is required to transmit to the Congress the record of such hearings, including written statements received, oral testimony, and Commission comments on the matters involved. The same standards which governed the Commission in the preparation of the tariff schedules will apply to subsequent Commission action on these schedules.

As soon as the President has taken the action he deems necessary to bring the trade agreement schedules into conformity with the new tariff schedules, he is then required to proclaim the new schedules and the same will then become effective.

This bill does not in any way detract from or remove any of the existing provisions of law concerning judicial review of executive or administrative action. The present judicial review procedures will continue in force before and after the new tariff schedules are made effective.

Finally, the bill would require that Cuban imports be treated under our customs laws for what they are—products of a Communist country. Nothing in the bill affects the present Presidential embargo on Cuban products. However, if the embargo is lifted while Cuba is still a Communist-dominated country, then such imports as come in from Cuba will receive the same treatment as we give to imports from Russia and such treatment will continue until the President determines that Cuba is no longer Communist controlled.

Therefore, Mr. Chairman, I urge that this bill be adopted and approved by the House just as it was adopted and approved in the Ways and Means Committee on a unanimous basis.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Chairman, I am glad to note that the gentleman made reference to the last provision of the Classification Act of 1954. At that time

the late Jere Cooper was chairman of the committee, and I remember he and I were in a rather heated discussion on the floor of the House. I made the charge then that it would destroy the Buy-American Act. I am asking the gentleman to what extent this will finish the demise of that legislation?

Mr. MILLS. This bill and the schedules which have been developed by the Tariff Commission, will not in any way affect the present Buy-American Act or the operation of that act. There is no change in that act at all.

Mr. BAILEY. Then may I ask what is the purpose in the revision?

Mr. MILLS. The purpose in the revision, as I have tried to point out, is to bring a lot more certainty, and as much simplification as is possible, to this complicated subject. One major objective was to place in the specific tariff listings the names of articles that have been developed since 1930. The purpose, of course, is to eliminate with respect to those items the uncertainty that presently prevails as to just where a particular article is classified for duty purposes. I might add, also, that the adoption of these schedules will serve to provide us with a base for obtaining better statistics on trade than we now get.

Mr. BAILEY. Mr. Chairman, will the gentleman yield further?

Mr. MILLS. Yes.

Mr. BAILEY. One rather pointed question. Is this laying the groundwork for the proposed new tariff bill?

Mr. MILLS. No; this revision started in 1954, about 8 years ago. I am sure that no one who is now in the present administration, at that point, had conceived of the trade program that is presently being heard in the Committee on Ways and Means.

Mr. BAILEY. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. GROSS. On page 6 of the report it is stated:

> Finally, the bill would bring about the restoration of Cuban imports to the status to which they would have been entitled had this bill not been enacted, whenever the President determines and proclaims that Cuba is no longer a Communist-dominated nation.

As I understand it, the President makes this determination?

Mr. MILLS. Let me expand on that point if I may.

Mr. GROSS. Yes.

Mr. MILLS. What this new revised tariff schedule was proposing to do was to continue with respect to Cuban products the present situation that prevails under the Tariff Act of 1930, as modified, namely: Preferential treatment was to be accorded Cuban products brought into the United States. That is the present law. Cuba gets a preference on certain imports into the United States and has enjoyed this preference over all these years.

Mr. GROSS. I do not think anyone knows how much we have given to Cuba through the years by virtue of this preferential treatment.

Mr. MILLS. I am sure that it has amounted to a very great deal. Neither I nor any other member of the Committee on Ways and Means wanted to continue this preference in connection with these new schedules since we all realized that Cuba, as a Communist country, should not enjoy trading benefits. We thought the best thing for us to do here, in these new tariff schedules, was to call Cuba just what Cuba is—a Communist country. Thus, by law we are saying that in in the event there are any imports from Cuba, they would be treated just like the imports from any other Communist country and denied the benefits of our reduced tariff rates.

Their products will, if imported, be given the highest rate of duty applicable under American law to any imports. Of course, there are no imports from Cuba at the moment under the President's embargo on such imports. I do not know how long that will last. That is a matter of Presidential action.

What I am saying here to the House is that, as a practical matter, in the event that embargo should be lifted, for so long as Cuba is a Communist country these higher rates would be effective rather than the lower rates which are in the present law.

We put a proviso on this section dealing with Cuba as a Communist country, which provides that if the President finds that Cuba is no longer a Communist-controlled country, then products of Cuba can receive, as a democracy, the rates to which she would have been entitled had we not taken the action we are discussing now.

I might also point out that we are not, by this bill, taking any action which will in any way affect our trade relations with countries other than Cuba.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. I appreciate that explanation, but the thing that concerns me is this: Suppose our best farmers in the district I represent increase their acreages for the purpose of providing this country with sugar and the cane farmers of Louisiana and other sections of the country increase their acreage and the President suddenly determines that this is no longer a Communist dominated country; does this mean that their sugar is going to start coming into this country immediately? Is there any provision in this bill to take care of the geared-up production in this country?

Mr. MILLS. My friend from Iowa is, I am sure, much better informed than I am on a great variety of legislation, and I daresay as well informed as most of his other colleagues.

Mr. GROSS. That is subject to question.

Mr. MILLS. I know he is better informed than I am. What the gentleman is concerned about, as I understand him, is not the provision of our tariff laws, but you are actually raising a problem that might well have a bearing on some action that the Congress may take in the future under the Sugar Act. Under that act, as I understand it—and I see our colleague here who is a member of the Committee on Agriculture—we give to certain countries a specific quota and that sugar can come into the United States under that quota. In the past Cuba had a quota; that is before she became communistic and in the days when we were buying sugar from Cuba. It is true that that Cuban sugar would have paid this lower preferential rate of duty; that is my recollection of the situation, and if I am wrong, I will correct it in the RECORD at this point.

But this bill does not affect the Sugar Act at all. We are simply changing the classification provisions of the Tariff Act of 1930 by providing for the establishment of new classification schedules. We are giving certainty to tariff classification and naming specifically things that have been developed since 1930, such as plastics; these things were not even thought of at that time and, therefore, were not specifically designated in the Tariff Act of 1930.

The proposed schedules give them specific designation and location within the tariff schedules.

On the other hand, there are some things which we all know have become obsolete and out of usage since 1930. These are products we neither import or make in 1962. Some of those things have been deleted from specific designations and relegated to so-called basket provisions.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. Mr. Chairman, I would like to ask the gentleman whether anything in this particular piece of legislation will affect the present procedure as to relief under the peril-point provisions that presently prevail.

Mr. MILLS. No, sir, there is nothing in this bill which by any stretch of the imagination has any effect upon the safeguarding provisions which are included in our existing reciprocal trade legislation. This does not affect the escape-clause provision; this does not affect the peril-point provision. This bill also does not affect the national security provisions. This is a reclassification, a recodification, or a rewrite of the classification provisions of the 1930 act. On the question of rates and rate structure, there have been some instances where tariffs have been raised and some instances where they have been lowered. But, I read earlier the Tariff Commission's comment on this point wherein they said that none of these rate changes would have any effect on our domestic industry in any way.

Mr. HARVEY of Indiana. The particular case, if the gentleman will yield further, which came to my attention and which was a very crucial one had to do with the importation of zinc. It seemed under a revision in the zinc tariff rate that for raw zinc there was one rate, and the prospective importers found that by simply rolling this zinc it assumed immediately another type or acquired another nomenclature for import purposes and there was, therefore, a sort of back-door evasion of the principle of the act.

Mr. MILLS. I recall that.

Mr. HARVEY of Indiana. I am sure the gentleman recalls that instance. Is

this bill designed to correct such development?

Mr. MILLS. Let me explain it this way to the gentleman, if I may: What the Tariff Commission did in their proposals in that area was to follow the practice of the Bureau of Customs, which administers the tariff classifications of the United States. The practice regarding zinc articles was as the gentleman describes it. The Tariff Commission has written into the schedule a provision which reflects the practice followed in the Bureau of Customs. But let me call the gentleman's attention to this fact. As I understand, there has never been a court case developed challenging this practice of the Bureau of Customs.

If there is dissatisfaction in this respect, any affected party has the right, under this bill as they do under existing law, to appeal from this practice of the Bureau of Customs to the customs court and get an opinion from the court with respect to whether or not the practice itself is correct. The bill provides for reflecting any change in the new schedules which may be required by virtue of a successful challenge by a domestic manufacturer of a Bureau of Customs practice. Thus, an affected party has an opportunity to challenge the practice of the Bureau of Customs.

Now insofar as the Tariff Commission reflecting existing Bureau of Customs practice, they had no choice, because they were here bound by the administrative determination of the Bureau of Customs, the agency charged by law with administering the Tariff Act of 1930.

If a person disagrees with what the Bureau of Customs says, the person has the right to go to court.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. HALL. I would simply like a little information. Would the proposals of the Tariff Commission being here enacted into law put any more teeth into, or make more effectual, the Tariff Commission's recommendation, for example, with regard to the importation or bartering over surplus goods for lead, zinc, and the stockpiling of these materials?

Mr. MILLS. This bill does not affect that situation. What we are doing here is what we have done with respect to other bodies of the law in the past: We are codifying, we are trying to bring a degree of simplification, of streamlining to the law and to facilitate a better understanding of it. This bill does nothing more than that. Whatever is the law in the points you stated remains the law. This bill neither reduces nor enlarges upon that.

Mr. HALL. I thank the gentleman very much.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Reference was made a moment ago concerning the tariff on sugar and a quota in connection therewith. Is there anything in this bill that changes the classification of the raw product that may be shipped in, or the finished product that may be shipped in, sugar?

Mr. MILLS. Not in this, no, sir; not in the realm of sugar, but it does change some other things, of course.

Mr. ROGERS of Colorado. Then title 4, Tariff Treatment of Cuban Products, as I understand, does not have any raw sugar allotment or tariff in connection with it?

Mr. MILLS. You understand at present nothing can come in from Cuba, including sugar. At the moment, Cuba has no sugar quota, and we are not giving them anything in this bill. What we are saying is that in the future, if this embargo is lifted, she would, if she were still a Communist-dominated country, have no preference but would have to pay the same duty any other Communist country would have to pay.

Mr. ROGERS of Colorado. Under the Tariff Act there is a certain tax on sugar, so to speak.

Mr. MILLS. That is retained.

Mr. ROGERS of Colorado. That is retained.

Mr. MILLS. Yes.

Mr. ROGERS of Colorado. And it is not changed in any manner whatsoever?

Mr. MILLS. Except to this extent, that whatever preference Cuban imports may have enjoyed in the past is gone so long as Cuba is a Communist country. Under this bill they would not enjoy any preference, but there is nothing much coming in anyway from Cuba at the moment.

Mr. ROGERS of Colorado. There has been the importation of raw sugar that does not meet the classification of finished sugar that is subject to the tariff.

Mr. MILLS. No change here.

Mr. ROGERS of Colorado. But when it is admitted into this country we are confining it to the finished product of sugar and they do not pay the tariff in connection therewith. Is there a change in that?

Mr. MILLS. No, there is no change in that respect.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman explain section 302(a) at the bottom of page 14 of the bill concerning the tax on sugar. I am not able to understand it.

Mr. MILLS. If the gentleman will go to the report——

Mr. GROSS. I do have the report.

Mr. MILLS. At the bottom of page 11 there is a discussion there. The bill does provide for certain required repeals and amendments in the provisions of the Internal Revenue Code.

The Internal Revenue Code presently includes a number of provisions under which import taxes are imposed. These taxes are the equivalent of duties and should be a part of the tariff schedules.

In these new tariff schedules, we have in several instances translated internal revenue taxes, which are really import duties, into import duties. So we can now repeal the import taxes and rely upon the duties.

Mr. GROSS. I thank the gentleman.

Mr. DURNO. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Oregon.

Mr. DURNO. Under title IV, the Tariff Treatment of Cuban Products, I bring up the question of tobacco. Quite obvious is the fact that Cuban tobacco is of rather distinctive quality. It is also a fact that this tobacco is going to be transshipped to other areas and then brought into this country.

I am wondering if there is anything under title IV which will protect this matter.

Mr. MILLS. The gentleman understands that what we provide in title IV is that in the future, if we do not have an embargo on Cuban products, those products coming from Cuba, so long as it is a Communist country, are going to enjoy the very highest rates of duty that we impose on any country.

The gentleman raises a question about the President's embargo. That embargo relates to those articles which come directly or indirectly through other countries or otherwise from Cuba. So there is supposed to be at the moment a complete embargo on tobacco coming into the United States from Cuba.

Mr. DURNO. In other words, cigars cannot be manufactured in Puerto Rico and transported to the United States?

Mr. MILLS. That is my understanding.

Mr. DURNO. I thank the gentleman.

Mr. MASON. Mr. Chairman, we have been listening to a highly technical explanation of a highly technical bill. That is the situation and that is the statement.

This classification bill does nothing but recodify the Classification Act. It is highly technical. It does not substantially change the present law but tries to clarify it. That is the purpose. I feel that we have had the best and the clearest explanation that we can get from the chairman. I have no desire to elaborate upon his statements.

Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, there is absolutely no reason for any controversy with respect to this legislation whatever. It had its origin in a bill passed in the 83d Congress. It was recommended by the administration at that time; in fact, if my memory serves me correctly, the bill bore my name—H.R. 10009, 83d Congress.

I do want, Mr. Chairman, to compliment the Tariff Commission on the splendid job they have done in handling a most difficult job, requiring so much attention to little, minute details in an effort to bring rhyme and reason and sense and understanding into our tariff classifications and schedules.

This act, as has been pointed out, makes no basic change of any kind in the law as it exists today in this field. It is, as has been suggested, a codification, but I think its result will be a considerable boon to many of our people who deal in the field of imports, in the matter of trade crossing the borders, in that they can now find in one place, in one

volume, just what the descriptions of the articles or items are, and in a form that at least tends to make more sense as compared to what the situation was before the passage of this act.

They will be able to find out what the duty is without going through tremendous research that was formerly involved, requiring them to start with the Tariff Act of 1930, moving then through all of the administrative decisions of the Customs Bureau and the decisions of the customs court, going through all the trade agreements that may have been entered into, and all the rest. They can find it now in one spot, in one place. So, I think it is a true movement in the area of simplification, so people can understand what the law is. And, I suggest to the membership that they can vote for this legislation in full confidence that it is not going to cause any difficulty or make any basic change in the present law that they might regret in the future and that they can vote for it with the feeling that it is a real improvement in our tariff classifications and schedules.

Mr. UTT. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from California.

Mr. UTT. Is it not a fact, may I ask the gentleman from Wisconsin, that under the present schedules we have, the same articles may be imported in three or four different ports of entry under different classifications?

There is a great difficulty in getting data and information as to what has actually been imported.

Mr. BYRNES of Wisconsin. That is true.

Mr. UTT. Is it not also a fact that a great deal of commodities have been grouped together and that one port will group a certain group or classification of imports, and call them steel, when perhaps they are not steel, and another port of entry will classify them as something else?

Mr. BYRNES of Wisconsin. This bill, I believe, will produce certainty in many areas where today there has been confusion and uncertainty.

Mr. MASON. Mr. Chairman, I have no more requests for time.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, at the outset I want to say that I support the bill before us. However, there is some clarification required because of a condition on which there has been some correspondence. As yet those who are interested in this particular classification are not satisfied that the question that has been raised has been answered to protect, as it were, their position.

Mr. Chairman, early in the year a telegram was sent to the gentlemen from Pennsylvania [Mr. GREEN and Mr. CORBETT], members of the Committee on Ways and Means. I would like to quote from that telegram as a start toward clearing this matter up:

We sent you a telegram today, a copy of which is attached to this letter, asking for opposition to the tariff reclassification bill now offered to Congress because we feel it should have the full attention of Congress and be open to amendment by Congress should they feel any amendment desirable.

If this bill is offered under the closed rule, no amendments will be possible and Pennsylvania industry will suffer irreparable damage and employment will be affected in the magnitude of thousands of jobs.

This bill is a gross misrepresentation by the Tariff Commission to Congress and represents the worst features of the free trade theory. Congress should require open debate on the merits of the bill.

The reason I read that is because pursuant to receiving copies of these telegrams and because of the fact that they emanated from my district, from the tool-steel industry, I wrote the following letter to the chairman. I would like to read it into the RECORD:

Hon. WILBUR D. MILLS,
House Office Building.

DEAR WILBUR: I know that you will be hearing a great deal about the Tariff Classification Act and the whole problem of tariffs. I pray that we will be able to keep some sort of balance in the matter, however, now and then some specific item is called to my attention and I would like to be able to refer the matters to you.

Attached is a letter from Ed Martin which affects the tool-steel industry of which a great segment is situated in my district.

If possible, would you have your staff check out the complaint so that I may be able to discuss it on the next trip home with Latrobe Steel.

I want to thank you for all your past kindnesses. * * * warmest regards.

In answer to this, the chairman of the committee, the gentleman from Arkansas [Mr. MILLS] sent the following response:

DEAR JOHN: In accordance with your suggestion in your letter to me of January 26, 1962, I asked the Committee on Ways and Means' staff to look into the complaints of the Tool and Fine Steel Committee and their counsel relative to the Tariff Commission's proposed revised tariff schedules submitted in the course of the Commission's Tariff Simplification Study under the Customs Simplification Act of 1954.

Mr. Potter, chairman of the Tool and Fine Steel Committee, in a letter to me of January 25, 1962, a copy of which is appended to your letter to me, complains in general concerning the Tariff Commission's proposals regarding steel. He specifically states that in reviewing the proposed schedules his group has ascertained that so-called die blocks would be classified as "angles, shapes, and sections" under the proposed tariff schedules whereas these articles are presently considered to be "forgings" under the Tariff Act of 1930, as modified. He further states that such reclassification would result in lowering the duty on such die blocks. The staff checked this matter with the Tariff Commission and we were advised as follows:

"The rate provisions of paragraph 304 of the existing tariff act apply to a number of miscellaneous steel products, including 'die block or blanks.' The quoted term, standing alone, is ambiguous and does not appear to describe a distinctive class of products. The Commission found little help in legislative history or in the practices of customs officers in determining the intended coverage of this term. Moreover, Mr. Potter and other interested persons did not address themselves to this issue at any time in connection with the Commission's hearings or numerous informal conferences held by members of its staff during the course of the many months preceding and following the submission of the report to the President and the Congress on November 15, 1960. Nor were comments relevant to this subject received by the Ways and Means Committee in response to the press release issued by Chairman MILLS of August 15, 1961, asking for written comments by interested persons on the tariff classification study. Consequently, no specific provision for die blocks or blanks has been included in the proposed revised schedules. However, assuming such steel pieces to be in the form of forgings, it is believed that, as between the provision for forgings and the provision for angles, shapes, and sections in the proposed tariff schedules, the former provision is more specific than the latter and should and would prevail over it."

While it would appear that there is no actual testimony or history bearing upon these articles, the Commission, as you see, feels that the die blocks in question, would, as between the provisions of forgings and for angles, shapes, and sections, be classified as forgings and not as angles, shapes, and sections. There would therefore appear to be no problem of lowering of duty involved.

The staff learned from the Tariff Commission that the Tool and Fine Steel Committee has participated on numerous occasions in informal meetings with the Tariff Commission staff regarding the proposed schedules on steel articles. They also inform me that this group has taken advantage of each opportunity to make its views known in the formal proceedings held by the Commission. Also, this group did respond to my press release invitation of August 15, 1961, wherein I invited comments from interested parties relative to the Commission's proposals.

We have been told, and it appears from the record, that the substance of the Tool and Fine Steel Committee's objections to the Commission's proposals has to do with a matter which is statistical in nature. The Tool and Fine Steel Committee apparently would like to see their products enumerated specifically in the tariff schedules wherever they are provided for therein. Of course, the Commission has been given the task of preparing these schedules and this job does involve the use of discretion and judgment on the part of the Commission. The Commission decided that there should not be specific enumerations of tool and fine steel products in the new schedules. However, I am advised that the failure of the schedules to reflect tariff descriptions will in no way prejudice the establishment of statistical classes covering such articles specifically if the authorities in charge of statistical schedules of imports deem such specific enumeration desirable.

I am also informed that the Tariff Commission staff consulted at length with officers of the American Iron and Steel Institute in New York during the course of the preparation of the tariff schedules on steel products. The AISI has not registered any objection, I am told, to the proposals on tool steel and fine steel formulated by the Commission. By the same token, the American Institute for Imported Steel has filed with the committee a blanket endorsement of the Tariff Commission's steel schedule.

I feel that the record in this matter is clear enough, and complete enough to permit the Committee on Ways and Means to consider the overall merits of the Tariff Commission's proposals without any additional public hearings. Of course, the testimony before the Tariff Commission of the Tool and Fine Steel Committee, as well as the several submissions made by them in writing to the Commission and to the Committee on Ways and Means, are all available for study by the members of the Committee on Ways and Means.

Sincerely yours,

WILBUR D. MILLS,
Chairman.

Mr. Chairman, at this point I would like to read a letter from Mr. Potter, chairman of the Tool and Fine Steel Committee:

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. MILLS: I refer to H.R. 9189, 87th Congress, which would authorize effectuation of the tariff schedules prepared by the Tariff Commission in response to title I of the Customs Simplification Act of 1954.

On behalf of the tool steel industry in the United States, I have previously requested that a public hearing be held by your committee on this legislation, and I am taking this opportunity to renew that request. We believe that the Tariff Commission has failed to carry out its statutory mandate so far as tool steel is concerned, and will welcome an opportunity to lay the facts before you and to respond to any questions you and other members of the committee may want to ask.

We recognize that the Tariff Commission has held hearings on this subject, but we submit that such hearings could not be an adequate substitute for hearings by our elected representatives in Congress, particularly when the question is whether the Commission has properly executed its statutory duty.

The Tariff Commission has held another hearing since we filed our objections with you in August 1961, and I testified at that hearing. In its first supplemental report, recently filed with your committee, the Tariff Commission proposes to correct some of the tariff reductions it had previously recommended, but not others. Furthermore, the Tariff Commission has failed even to give an adequate analysis of proposals for tariff simplification, which we submit are clearly called for by the terms of the Customs Simplification Act of 1954. If the Ways and Means Committee is content to rely on the analysis of these matters given behind closed doors, our experiences have convinced us that the committee will never have an adequate explanation.

You are probably aware that the proposed tariff schedules on steel are radically different from those previously enacted by Congress. We are continuing to learn new and unexpected results of these schedules. In our statement of last August we called attention to several unwarranted tariff cuts. Since then we have learned of another.

Die blocks or blanks are specified in paragraph 304 of the Tariff Act of 1930, but not in the tariff schedules. We originally assumed that forged die blocks could be dutiable as forgings in the tariff schedules, but we have recently learned that by virtue of a new definition in the tariff schedules, die blocks would now come under the class for angles, shapes, and sections, which is devoted principally to structural shapes. Aside from the misrepresentation of this classification (there being no kinship between die blocks and structural shapes), this would result in reductions of duty. At present the tariff on alloy die blocks valued over 16 cents per pound is 16½ percent ad valorem plus alloy duties. While the tariff schedules retain the alloy duties in this instance, the ad valorem equivalent would be cut to less than 5 percent ad valorem (a reduction of more than two-thirds) if not drilled, punched, or otherwise advanced, and to 11½ percent ad valorem (a reduction of 30 percent) if drilled, etc.

The Tariff Commission says this does not involve significant rate change. We challenge this conclusion. We also question whether the Commission has, in this and other instances, complied with section 101 (b) of the Customs Simplification Act of 1954, which requires its report to include supporting data and a statement of the probable effect of any such suggested change on any industry in the United States.

Very truly yours,

H. S. POTTER,
Chairman, Tool and Fine Steel Committee.

Mr. Chairman, in the hope that the Senate will clarify the matter by remedial amendment, I include an explanation of tool and fine steel amendments to H.R. 10607 as well as a copy of my proposed amendment:

In its first supplemental report on the tariff classification study (January 1962), the Tariff Commission changed its mind about certain tariff reductions it had previously recommended on tool and fine steels. Reference No. 6 of schedule 6 (forgings) and reference No. 13 of schedule 6 (hollow bars) are illustrations. The Commission restored the rates on these products to present levels.

However, there still remains a significant item on which the tariff schedules substantially reduce the present tariff. This relates to alloyed die blocks and blanks now dutiable under paragraphs 304 and 305 of the Tariff Act of 1930 at 16½ percent ad valorem plus additional duties on alloy contents. In preparing the tariff schedules, the Commission has deliberately eliminated specific provision for die blocks or blanks.

This omission will transfer die block or blanks to other classifications, which contain lower rates than does present law.

If the die blocks are forged and are not machined, not tooled, and not otherwise processed after forging, they will be assessed under item 608.27 at 14½ percent ad valorem plus alloy duties. However, by virtue of a recent change of customs practice, the words "not otherwise processed after forging" have been given a very broad meaning, so that forgings which are merely cleaned are excluded from the class. The results of this change are apparent in import statistics. Whereas, large imports were recorded under this class in 1960, hardly any were so recorded after January 1961. The large imports are still arriving, but are recorded under some other class or classes. As a result, few if any die blocks can be expected to enter under item 608.27 of the tariff schedules.

Alloyed die blocks which have been drilled, punched, or otherwise advanced are classifiable as angles, shapes, and sections under item 609.86 of the tariff schedules at 11½ percent ad valorem plus alloy duties. Note that this ad valorem rate is about 30 percent lower than the rate under present law. Indeed, it is possible that some of these die blocks may enter under item 609.82 at a rate less than 5 percent ad valorem, which represents a reduction of about 70 percent below present law.

In his February 26, 1962, letter to Representative DENT, Chairman MILLS of the Committee on Ways and Means refers to advice from the Tariff Commission that forged die blocks would be dutiable as forgings under the tariff schedules, from which Mr. MILLS concluded there would be "no problem of lowering of duty involved." If we accept the classification point as true, there would be an actual lowering of the ad valorem rate from 16½ to 14½ percent, a reduction of 12 percent. However, it is hard to believe the Tariff Commission did not know of the present customs practice to exclude cleaned forgings from the forgings class, with the result of almost nullifying that class. Accordingly, their advice to Mr. MILLS must have been tongue-in-cheek, with the realization that the rate is actually being reduced from 16½ at least to 11½ percent, and possibly to less than 5 percent ad valorem (but which matters they did not communicate to Mr. MILLS). In view of the kind of advice given by the Tariff Commission to the Ways and Means Committee in this matter, how can the committee feel that the Tariff Commission hearing is an adequate substitute for a congressional hearing?

Chairman MILLS' letter also says the Tool and Fine Steel Committee did not raise the issue of die blocks in their prior representations to the Ways and Means Committee and the Tariff Commission. In its August 1961 statement to the Ways and Means Committee, the Tool and Fine Steel Committee did mention die blocks in its discussion of forgings. (Comments by interested individuals, etc., on H.R. 8691, 87th Cong., committee print, p. 411, U.S. Tariff Commission, Tariff Classification Study, First Supplemental Report, p. 845.) Mr. H. S. Potter referred to the provision of paragraph 304 of the Tariff Act for die blocks and blanks in his testimony to the Tariff Commission on November 21, 1961 (First Supplemental Report, p. 246). So the Tariff Commission knew of our interest in die blocks.

However, it was not until after that hearing that we learned that the specific provision for die blocks had been deliberately stricken out by the Tariff Commission and that die blocks were intended to be covered by the definition of "angles, shapes, and sections" (which means much lower rates than those now provided by law).

Section 101(b) of the Customs Simplification Act of 1954 requires the Commission to specify tariff changes and to accompany such specification "with a summary of all the data on which such suggested change was based, together with a statement of the probable effect of such suggested change on any industry in the United States." The Commission did not do so with respect to die blocks; its report to Congress said nothing of their deliberate omission or the tariff reduction resulting therefrom. If the Commission had reported in accordance with the law, the Tool and Fine Steel Committee would have known a year earlier of this proposed tariff reduction and, accordingly, would have been able to criticize it at an earlier stage. Would it not be shocking to have the fruit of the Commission's failure to report as required by law now result in refusal by the Congress to consider this point of tariff reduction?

Paragraph (7) of the amendment restores die blocks to the tariff rate now in effect.

Paragraphs (2) to (4) of the amendment are necessary to eliminate the penalty now imposed on the tool steel industry by maladjustment of the tungsten tariffs and to simplify the compensatory tariff provisions, as pointed out in our statement to the Ways and Means Committee and in our testimony to the Tariff Commission (Tariff Simplification Study, First Supplemental Report, pp. 245, 847–849).

The other paragraphs of the amendment are needed so that tool steel and stainless steel will be specified at appropriate places in the tariff schedules. In its first supplemental report (schedule 6, reference No. 7, p. 48), the Tariff Commission said these separate provisions were requested "solely for statistical purposes."

Although the separate specifications would facilitate the gathering of statistics, this is not the sole, or even the main, point.

The main point is that in the present, as well as future, consideration of the tariff, it must be recognized that both tool steel and stainless steel are as different from tonnage steel as platinum is from lead, and tool steel is as different from stainless steel as tungsten is from chromium. The industries making these products are separate and distinct, and any judicious consideration of what tariffs are appropriate for the various products must take account of the differences in the industries and in the products.

When it is remembered what a high priority is accorded to tool steel as a strategic industry, it should be clear that it needs

separate consideration and separate classification in the tariff.

The Tariff Commission's insistence on jumbling tool and stainless steels with tonnage steel is in line with the administration's effort in H.R. 9900 to get power to eliminate tariffs on broad categories of goods. The sudden move to report out the tariff reclassification bill may be an effort to take a sounding on H.R. 9900. The Congress surely will not, at least without thorough consideration, empower the President to slash the tariff on broad categories (which will inevitably submerge the needs of small industries). It should not indirectly move in that direction, without even a public hearing, by approving the classification of tool and stainless steels in the mass of tonnage steel. This is why the amendments are necessary.

INDEX TO PRODUCT FORMS COVERED BY NUMBERED PARAGRAPHS OF THE AMENDMENT

(1) Definitions applicable to steel mill products. Definition of stainless added by Tariff Commission's first supplemental report. The definitions are those approved for import statistics in the autumn of 1961.

(2) Compensatory duty on chromium.

(3) Compensatory duties on molybdenum and vanadium.

(4) Compensatory duty on tungsten.

(5) Ingots, blooms, billets, slabs, and sheet bars.

(6) Forgings, not advanced beyond forging.

(7) Bars.

(8) Wire rods.

(9) and (10) Plates and sheets, not cut, pressed, or stamped to nonrectangular shapes.

(11) Renumbering required by amendment paragraph (10).

(12) Strip, not cut, pressed, or stamped to nonrectangular shapes.

(13) Plates, sheets, and strip, cut, pressed, or stamped to nonrectangular shapes.

(14) Round wire.

(15) Pipes and tubes and blanks therefor, welded, jointed, or seamed.

(16) and (17) API pipes and tubes and blanks therefor.

(18) Other (seamless) pipes and tubes and blanks therefor, including hollow bars.

(19) Parts of metal-forming machines.

TOOL AND FINE STEEL AMENDMENTS TO H.R. 10607

After section 101 of the bill, insert a new section to read as follows:

"SEC. 101a. Schedule 6 of the Tariff Schedules is amended as follows:

"(1) At the end of headnote 2(h) of subpart B of part 2, insert the following:

"'(v) "heat resisting steel" refers to any alloy steel containing not over 0.29 percent of carbon and 4.0 or more but not over 11.5 percent of chromium.

"'(vi) "high speed tool steel" refers to any alloy steel containing 0.5 percent or more of carbon and 3.5 percent or more of molybdenum, or 5.5 percent or more of tungsten.

"'(vii) "alloy tool steel" refers to any alloy steel with any one of the following restrictions, (a) to (d) inclusive, on the percentages by weight of the following elements:

"'(a) carbon, 1.0 percent minimum and chromium, 11.0 percent minimum;

"'(b) carbon, 0.3 percent minimum and chromium, 1.25 to 11.0 percent, inclusive;

"'(c) carbon, 0.85 percent minimum and manganese, 1.0 to 1.8 percent, inclusive;

"'(d) chromium, 0.9 to 1.2 percent, inclusive, and molybdenum, 0.9 to 1.4 percent, inclusive.'

"(2) Item 607.01 is amended by deleting from rates of duty columns 1 and 2 the words 'in excess of 0.2 percent'.

"(3) Items 607.02 and 607.04 are amended by deleting from rates of duty columns 1 and 2 the words 'in excess of 0.1 percent'.

"(4) Item 607.03 is amended by deleting the material in rates of duty column 1 and inserting in lieu thereof 'additional duty of 72 cents per pound on tungsten content', and by deleting from rates of duty column 2 the words 'in excess of 0.3 percent'.

"(5) Item 608.18 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.18	Stainless steel and heat resisting steel	14.5 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
608.19	High speed tool steel and alloy tool steel	do	Do.
608.20	Other alloy iron or steel	do	Do.'

"(6) Item 608.27 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.27	High speed tool steel and alloy tool steel	14.5 percent ad valorem plus additional duties. (See headnote 4.)	33 percent ad valorem plus additional duties. (See headnote 4.)
608.28	Other alloy iron or steel	do	Do.'

"(7) Item 608.52 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.52	Stainless steel and heat-resisting steel	14.5 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
608.53	High speed tool steel	do	Do.
608.54	Alloy tool steel	do	Do.
608.55	Other alloy steel	do	Do.
	Alloy steel die blocks or blanks		
608.56	High-speed tool steel and alloy tool steel	16.5 percent ad valorem plus additional duties. (See headnote 4.)	Do.
608.57	Other	do	Do.'

"(8) Items 608.76 and 608.78 are deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.76	Stainless steel, not tempered, not treated, and not partly manufactured.	0.25 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	0.6 cent per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
608.77	High-speed tool steel, not tempered, not treated, and not partly manufactured.	do	Do.
608.78	Other, not tempered, not treated, and not partly manufactured.	do	Do.
608.79	Stainless steel, not tempered, not treated, and not partly manufactured.	0.375 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	0.85 cent per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
608.80	High-speed tool steel, not tempered, not treated, and not partly manufactured.	do	Do.
608.81	Other, not tempered, not treated, and not partly manufactured.	do	Do.'

"(9) Item 608.85 is deleted and the following is inserted in lieu thereof:

" 'Item	Articles	Rates of duty	
		(1)	(2)
608.85	High-speed tool steel	14 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
608.86	Stainless steel	do	Do.
608.87	Other alloy iron or steel	do	Do.'

"(10) Item 608.88 is deleted and the following is inserted in lieu thereof:

" 'Item	Articles	Rates of duty	
		(1)	(2)
608.88	High-speed tool steel	0.1 cent per pound plus 14 percent ad valorem plus additional duties. (See headnote 4.)	0.2 cent per pound plus 28 percent ad valorem plus additional duties. (See headnote 4.)
608.89	Stainless steel	do	Do.
608.90	Other alloy iron or steel	do	Do.'

"(11) Item 608.90 is renumbered as item 608.91.

"(12) Items 609.06, 609.07, and 609.08 are deleted and the following is inserted in lieu thereof:

" 'Item	Articles	Rates of duty	
		(1)	(2)
609.06	Stainless steel not over 0.01 inch in thickness	10 percent ad valorem plus additional duties. (See headnote 4.)	33 percent ad valorem plus additional duties. (See headnote 4.)
609.07	Other alloy iron or steel not over 0.01 inch in thickness	do	Do.
609.08	Stainless steel over 0.01 but not over 0.05 inch in thickness.	12.5 percent ad valorem plus additional duties. (See headnote 4.)	Do.
609.09	Other alloy iron or steel over 0.01 but not over 0.05 inch in thickness.	do	Do.
609.10	Stainless steel over 0.05 inch in thickness	16.5 percent ad valorem plus additional duties. (See headnote 4.)	Do.
609.11	Other alloy iron or steel over 0.05 inch in thickness	do	Do.'

"(13) Item 609.15 is deleted and the following is inserted in lieu thereof:

" 'Item	Articles	Rates of duty	
		(1)	(2)
609.15	Stainless steel	16.5 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
609.16	Other alloy iron or steel	do	Do.'

"(14) Item 609.45 is deleted and the following is inserted in lieu thereof:

" 'Item	Articles	Rates of duty	
		(1)	(2)
609.45	High-speed tool steel	12.5 percent ad valorem plus additional duties. (See headnote 4.)	33 percent ad valorem plus additional duties. (See headnote 4.)
609.46	Stainless steel	do	Do.
609.47	Other alloy iron or steel	do	Do.'

"(15) Items 610.35, 610.36, and 610.37 are deleted and the following is inserted in lieu thereof:

" 'Item	Articles	Rates of duty	
		(1)	(2)
610.33	Stainless and heat-resisting steel under 0.25 inch in outside diameter.	0.875 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	1.75 cents per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
610.34	Other alloy iron or steel under 0.25 inch in outside diameter.	do	Do.
610.35	Stainless and heat-resisting steel 0.25 inch or more but under 0.375 inch in outside diameter.	0.625 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	1.25 cents per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
610.36	Other alloy iron or steel 0.25 inch or more but under 0.375 inch in outside diameter.	do	Do.
610.37	Stainless and heat-resisting steel 0.375 inch or more in outside diameter.	0.3 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	0.75 cent per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
610.38	Other alloy iron or steel 0.375 inch or more in outside diameter.	do	Do.'

"(16) Item 610.40 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
610.40	Stainless steel	0.1 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	0.2 cent per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
610.41	Other alloy steel	do	Do.'

"(17) Item 610.43 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
610.43	Stainless steel	11.5 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
610.44	Other alloy steel	do	Do.'

"(18) Items 610.51 and 610.52 (as added by the first supplemental report) are deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
610.50	High-speed and alloy tool steel hollow bars	15.5 percent ad valorem plus additional duties. (See headnote 4.)	30 percent ad valorem plus additional duties. (See headnote 4.)
610.51	Stainless and heat-resisting steel hollow bars	do	Do.
610.52	Other alloy iron or steel hollow bars	do	Do.
610.53	Other high-speed and alloy tool steel	14.5 percent ad valorem plus additional duties. (See headnote 4.)	35 percent ad valorem plus additional duties. (See headnote 4.)
610.54	Other stainless steel and heat-resisting steel	do	Do.
610.55	Other alloy iron or steel	do	Do.'

"(19) Item 674.53 of part 4 of schedule 6 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
674.53	Dies, finished or unfinished	15 percent ad valorem	35 percent ad valrem.
674.54	Other parts	do	Do.' "

If the Chairman will permit, I should like to ask him a series of questions to clarify this matter for the record.

The gentleman has directed, as the correspondence shows, the Tariff Commission to effect the classification of tariff duties, without changing rates of duties other than those incidental rate changes necessary in order to attain the overall simplification object. I would, at the outset, inquire of the gentleman whether or not he thinks the Tariff Commission has abided by this congressional limitation on its power, and would like then to ask certain more specific questions.

Mr. MILLS. It is my considered judgment that the Tariff Commission has abided by the direction given it by the Congress in 1954. I think they have done, as the gentleman from Wisconsin [Mr. BYRNES] pointed out, an outstandingly good job. It was not possible for them, of course, as we pointed out in the letter to the gentleman, in response to their statement to me, to provide for the establishment of statistical classes in all instances that subsequently have been suggested.

Mr. DENT. You recall, do you not, Mr. Chairman, that I sent a certain letter to you which I read and that the reply which I just read into the RECORD is yours?

Mr. MILLS. Oh, yes.

Mr. DENT. I would like also to inquire as to the elimination of the classification for die blocks and blanks. Alloyed die blocks and blanks were classified under the old law under paragraphs 304 and 305 of the Tariff Act of 1930, and are presently dutiable at a basic rate of 16½ percent ad valorem.

By eliminating this classification altogether—which is exactly what this act eliminates—the Tariff Commission has in effect said that die blocks and blanks have to find a new classification. Without putting into the act a new classification, the very least that we could find would be the result would be the reduction in the tariffs on this item because the unexplained new location for these products leaves it up in the air, where it can be placed in any classification and the classification that it will be placed under forgings—as I understand it from Customs Bureau practices today—and under forgings would be dutiable anywhere from 14½ to 5 percent. Is it your impression from the correspondence between you and me and the Tariff Commission that this act does not in any way reduce tariffs on die blocks and alloyed tool steel?

Mr. MILLS. That is my understanding. Now let us make it very clear. It is the contention of this group that these die blocks under the proposed schedules have been classified under so-called forgings.

Mr. DENT. That is true.

Mr. MILLS. This letter which the gentleman has received and has incorporated in the RECORD clearly states in the future under this new tariff schedule that these die blocks will, in any dispute as to whether they are angles, shapes, or sections, or forgings, be classified under the word "forgings" so that there could not possibly be any change in the situation affecting die blocks, as I see it.

Mr. DENT. That is perfectly right, and I think the gentleman who spoke earlier called attention to one of the weaknesses that you are trying to correct in this act, which I approve of very much, in that each customhouse has had a prerogative of establishing their own set of custom rules, as it were, by classification. In some of the customhouses, they have put out some rulings which give a broad interpretation to the term "otherwise processed," to the extent that if die blocks and blanks are even cleaned by brushing, they would not qualify as forgings. What I am trying to get into the RECORD—and I hope to be given permission to present for the RECORD the explanation of the protest as well as the amendments that would have been offered to clarify this, if I had had the opportunity to clarify it—is that die

blocks and blanks will be considered under forgings no matter whether they are brushed or partially, as it were, processed.

Mr. MILLS. In the context of my letter to you, they will be so considered.

Mr. DENT. That is all I can ask for at this time. I appreciate the courtesy and cooperation of the chairman.

I ask unanimous consent to extend my remarks at this point in the RECORD in order to insert an explanation of the tool and fine steel amendments which I would have offered, if I had had the opportunity.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Chairman, all time allowed for general debate has been consumed.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendments.

The bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Tariff Classification Act of 1962".

TITLE I—ADOPTION OF REVISED TARIFF SCHEDULES

SEC. 101. (a) The Tariff Act of 1930, as amended, is amended by striking out titles I and II (19 U.S.C. 1001 and 1201) and, subject to subsection (b) of this section and to sections 102 and 103 of this Act, by substituting in lieu thereof a new title I entitled "Title I—Tariff Schedules of the United States".

(b) Such new title I (hereinafter in this Act referred to as the "Tariff Schedules of the United States") shall consist of—

(1) the general headnotes and rules of interpretation;

(2) schedules 1 to 8, inclusive; and

(3) the appendix to the tariff schedules; all as set forth in the report of the United States Tariff Commission (hereinafter in this Act referred to as the "Commission") entitled "Tariff Classification Study, Proposed Revised Tariff Schedules of the United States", dated November 15, 1960, as changed by the "First Supplemental Report" (January, 1962); and

(4) subject to subsection (c), such changes in the provisions identified in paragraphs (1), (2), and (3) of this subsection as the Commission decides—

(A) are necessary to reflect changes in tariff treatment made by statute or under authority of law, arising either before the date of the enactment of this Act or on or after such date of enactment and before the date on which the Tariff Schedules of the United States is published pursuant to subsection (d), or

(B) are otherwise necessary.

In its determinations under this paragraph, the Commission shall apply the standards it applied in its report of November 15, 1960, referred to above.

(c)(1) The Commission shall include the changes provided for in subsection (b)(4), together with the reasons therefor, in one or more supplemental reports which shall be promptly published and submitted to the President and the Congress. The delivery to the Senate and to the House of Representatives shall be made on the same day. In its supplemental reports the Commission shall include written views submitted to the Commission, and testimony before the Commission, with respect to provisions of the proposed Tariff Schedules of the United States, together with the comments of the Commission on such views and testimony.

(2)(A) No change submitted pursuant to the authority contained in subsection (b)(4)(B) shall become effective unless, following the date on which the supplemental report containing such charge was submitted to the Congress and before the date on which the Tariff Schedules of the United States is published pursuant to subsection (d), a period of 60 calendar days of continuous session of the Congress has elapsed.

(B) For purposes of subparagraph (A)—

(i) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

(ii) in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

(3) No changes included by the Commission in any supplemental report submitted after the date of the enactment of this Act shall become effective unless included in the Tariff Schedules of the United States as published pursuant to subsection (d).

(4) Any proposed revision of existing law contained in the provisions identified in paragraphs (1), (2), and (3) of subsection (b) as to the withdrawal of which the Commissioners voting were equally divided, the Commission shall make changes to insure that existing law will apply to such articles. Paragraphs (2) and (3) of this subsection shall not apply to changes made pursuant to this paragraph.

(d) At the earliest practicable date before the date of the proclamation of the President provided for by section 102, the President shall cause the Tariff Schedules of the United States to be published.

SEC. 102. At the earliest practicable date, the President shall take such action as he deems necessary to bring the United States schedules annexed to foreign trade agreements into conformity with the Tariff Schedules of the United States and, after such action is completed, the President shall proclaim—

(1) the rates of duty in rate column numbered 1 of schedules 1 to 7, inclusive, and the other provisions of the Tariff Schedules of the United States, which are required or appropriate to carry out the foreign trade agreements to which the United States is a contracting party;

(2) the temporary modifications set forth in part 2 of the appendix to the tariff schedules (that is, those modifications proclaimed pursuant to the provisions of section 7 of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1364), and of other trade-agreements legislation);

(3) the additional import restrictions set forth in part 3 of the appendix to the tariff schedules (that is, those restrictions proclaimed pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624)); and

(4) the nations or areas and countries set forth in general headnote 3(d) of the Tariff Schedules of the United States (relating to the treatment of products of certain Communist-dominated nations or areas and countries discriminating against American commerce).

SEC. 103. The provisions of the Tariff Schedules of the United States as made effective on the date provided by section 501 shall have the status of statutory provisions duly enacted by the Congress, except for—

(1) the rates of duty in rate column numbered 1 of the tariff schedules proclaimed pursuant to paragraph (1) of section 102 which are lower than the rates of duty in rate column numbered 2 of such schedules for the corresponding items; and

(2) the provisions proclaimed by the President pursuant to paragraphs (2), (3), and (4) of section 102.

SEC. 104. During the period between the date of the enactment of this Act and the effective date of the Tariff Schedules of the United States—

(1) all public notices which refer to articles in terms of their tariff descriptions and which are issued in connection with investigations by the Commission or other agency, and all findings or recommendations made during such period by any such agency with respect thereto (including findings or recommendations in connection with investigations instituted before the date of the enactment of this Act), shall make reference to the prospectively applicable provisions of such schedules, as determined by the Commission, as well as to the existing provisions; and

(2) the Commission shall furnish to the President, upon request, any of its outstanding findings restated so as to conform to the Tariff Schedules of the United States to the fullest extent practicable consistent with the purposes of title I of the Customs Simplification Act of 1954.

Any such findings or recommendations with respect to the Tariff Schedules of the United States shall be treated as formal findings or recommendations of the agency involved.

TITLE II—ADMINISTRATIVE AND SAVING PROVISIONS

SEC. 201. The Commission is authorized to issue, at appropriate intervals, and to keep up to date, a publication containing current tariff schedules and related matters, including such matter as may be needed for reporting statistics.

SEC. 202. (a) This Act shall not divest the courts of their jurisdiction over a protest filed under section 514 of the Tariff Act of 1930, as amended (19 U.S.C. 1514), or by an American manufacturer, producer, or wholesaler under section 516(b) of such Act (19 U.S.C. 1516(b)), against a liquidation covering articles entered, or withdrawn from warehouse, for consumption before the effective date of the Tariff Schedules of the United States.

(b) If such a protest filed under section 516(b) is sustained in whole or in part by a decision of the United States Customs Court or of the United States Court of Customs and Patent Appeals, the liquidations covering articles of the character covered by such court decision, which are entered, or withdrawn from warehouse, for consumption after the date of publication of such court decision, shall be suspended until final disposition is made in accordance with subsection (c).

(c) If such a protest filed under section 516(b) is not sustained in whole or in part by a final judicial decision, the entries made before the effective date of the Tariff Schedules of the United States shall be liquidated in accordance with such final decision, and all other entries shall be liquidated subject to such schedules. If such a protest is sustained in whole or in part by a final judicial decision, the entries made before the effective date of the Tariff Schedules of the United States shall be liquidated in accordance with such final decision, and the Commission shall report to the President such changes in the Tariff Schedules of the United States as the Commission decides are necessary to conform them to the fullest practicable extent to the substance of such final decision. The President shall, as soon as practicable, proclaim such changes. The changes shall be effective with respect to entries, the liquidation of which was suspended in accordance with subsection (b), covering articles entered, or withdrawn from warehouse, for consumption on or after the effective date of the Tariff Schedules of the United States.

SEC. 203. For purposes of applying section 350 of the Tariff Act of 1930, as amended, with respect to the Tariff Schedules of the United States—

(1) The rates of duty in rate column numbered 2 of schedules 1 to 7, inclusive,

of the Tariff Schedules of the United States, shall be treated as the rates of duty existing on July 1, 1934.

(2) The rates of duty in rate column numbered 1 of schedules 1 to 7, inclusive, of the Tariff Schedules of the United States shall be treated as the rates of duty existing on July 1, 1958; except that with respect to any articles the rates for which have been permanently changed by statute or Presidential proclamation since July 1, 1958, the rates to be regarded as existing on that date shall be rates which the Commission specifically declares, in the supplemental reports made pursuant to section 101(c) of this Act, to be rates which, in its judgment, conform to the fullest extent practicable to the rates presently regarded as existing on July 1, 1958.

TITLE III—AMENDMENTS AND REPEALS

SEC. 301. (a) Sections 301, 308, 489, 504, and 508 of the Tariff Act of 1930, as amended, are hereby repealed.

(b) Section 312 of the Tariff Act of 1930, as amended (19 U.S.C. 1312), is amended to read as follows:

"SEC. 312. BONDED SMELTING AND REFINING WAREHOUSES

"(a) Any plant engaged in smelting or refining, or both, of metal-bearing materials as defined in this section may, upon the giving of satisfactory bond, be designated a bonded smelting or refining warehouse. Metal-bearing materials may be entered into a bonded smelting or refining warehouse without the payment of duties thereon and there smelted or refined, or both, together with metal-bearing materials of domestic or foreign origin. Upon arrival of imported metal-bearing materials at the warehouse they shall be sampled according to commercial methods and assayed, both under customs supervision. The bond shall be charged with a sum equal in amount to the duties which would be payable on such metal-bearing materials in their condition as imported if entered for consumption, and the bond charge shall be adjusted to reflect changes in the applicable rate of duty occurring while the imported materials are still covered by the bond.

"(b) The several charges against such bond may be canceled in whole or in part—

"(1) upon the exportation from the bonded warehouses which treated the metal-bearing materials, or from any other bonded smelting or refining warehouse, of a quantity of the same kind of metal contained in any product of smelting or refining of metal-bearing materials equal to the dutiable quantity contained in the imported metal-bearing materials less wastage provided for in subsection (c), or

"(2) upon payment of duties on the dutiable quantity of metal contained in the imported metal-bearing materials, or

"(3) upon the transfer of the bond charges to another bonded smelting or refining warehouse by physical shipment of a quantity of the same kind of metal contained in any product of smelting or refining of metal-bearing materials equal to the dutiable quantity contained in the imported metal-bearing materials less wastage provided for in subsection (c), or

"(4) upon the transfer of the bond charges to a bonded customs warehouse other than a bonded smelting or refining warehouse by physical shipment of a quantity of the same kind of metal contained in any product of smelting or refining equal to the dutiable quantity contained in the imported metal-bearing materials less wastage provided for in subsection (c), and upon withdrawal from such other warehouse for exportation or domestic consumption the provisions of this section shall apply, or

"(5) upon the transfer to another bonded smelting or refining warehouse without physical shipment of metal of bond charges representing a quantity of dutiable metal contained in imported metal-bearing materials less wastage provided for in subsection (c) of the plant of initial treatment of such materials provided there is on hand at the warehouse to which the transfer is made sufficient like metal in any form to satisfy the transferred bond charges.

"(c) For purposes of paragraphs (1), (3), (4), and (5) of subsection (b), due allowances shall be made for wastage of metals other than copper, lead, and zinc, as ascertained from time to time by the Secretary of the Treasury.

"(d) Upon the exportation of a product of smelting or refining other than refined metal the bond shall be credited with a quantity of metal equivalent to the quantity of metal contained in the product exported less the proportionate part of the deductions allowed for losses in determination of the bond charge being cancelled that would not ordinarily be sustained in production of the specific product exported as ascertained from time to time by the Secretary of the Treasury.

"(e) Two or more smelting or refining warehouses may be included under one general bond and the quantities of each kind of metal subject to duty on hand at all of such warehouses may be aggregated to satisfy the bond obligation.

"(f) For purposes of this section—

"(1) the term 'metal-bearing materials' means metal-bearing ores and other metal-bearing materials provided for in schedule 6, part 1, of the Tariff Schedules of the United States, 'metal waste and scrap' and 'unwrought metal' to be smelted or refined provided for in schedule 6, part 2, of such schedules, and metal compounds to be processed for the recovery of their metal content;

"(2) the term 'smelting or refining' embraces only pyrometallurgical, hydrometallurgical, electrometallurgical, chemical, or other processes—

"(A) for the treatment of metal-bearing materials to reduce the metal content thereof to a metallic state in the course of recovering it in forms which if imported would be classifiable in part 2 of schedule 6 as 'unwrought metal', or in the form of oxides or other compounds which are obtained directly from the treatment of materials provided for in part 1 of schedule 6, and

"(B) for the treatment of unwrought metal or metal waste and scrap to remove impurities or undesired components; and

"(3) the term 'product of smelting or refining' means metals or metal-bearing materials resulting directly from smelting or refining processes, but does not include metal-bearing ores as defined in part 1 of schedule 6.

"(g) Labor performed and services rendered pursuant to this section shall be under the supervision of an officer of the customs, to be appointed by the Secretary of the Treasury and at the expense of the manufacturer. The Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section."

SEC. 302. (a) The first sentence of section 4501(a) of the Internal Revenue Code of 1954 is amended to read as follows: "There is hereby imposed upon manufactured sugar manufactured in the United States, a tax, to be paid by the manufacturer at the rate of 0.53 cent per pound of the total sugars therein."

(b) Section 4501(b) of such Code is hereby repealed. Subsection (c) of section 4501 of such Code is redesignated as subsection (b), and such subsection is amended—

(1) by striking out "manufacture, use, or importation" in the first sentence thereof and inserting in lieu thereof "manufacture or use"; and

(2) by striking out "subsection (a) or (b)" in the second sentence thereof and inserting in lieu thereof "subsection (a)".

(c) Section 6418(b) of such Code is amended by striking out "; except that no such payment shall be allowed with respect to any manufactured sugar, or article, upon which, through substitution or otherwise, a drawback of any tax paid under section 4501 (b) has been or is to be claimed under any provisions of law made applicable by section 4504".

(d) Sections 4504, 4511, 4512, 4513, 4514, 4521, 4531, 4532, 4541, 4542, 4551, 4552, 4553, 4561, 4562, 4571, 4572, 4581, 4582, 4601, 4602, 4603, 6412(d), and 7511 of such Code are hereby repealed and the tables of sections for such Code are correspondingly amended.

SEC. 303. (a) Section 1 of the Act of March 2, 1897 (29 Stat. 604), as amended (21 U.S.C. 41), is hereby further amended by changing the period at the end of the first sentence to a comma, by deleting the second sentence, and by adding the following after such comma: "except as provided in the Tariff Schedules of the United States."

(b) Section 602(d)(6) of the Act of June 30, 1949, chapter 288, title VI, as renumbered by Sixty-fourth Statutes at Large, pages 578, 583 (40 U.S.C. 474), is hereby amended by changing the comma following "Strategic and Critical Materials Stock Piling Act" to a semicolon and deleting the remainder thereof.

(c) The following provisions are hereby repealed: Act of January 9, 1883 (ch. 17, 22 Stat. 402; 19 U.S.C. 193); Act of May 18, 1896 (ch. 195, 29 Stat. 122; 19 U.S.C. 194); Act of March 3, 1899 (ch. 454, 30 Stat. 1372; 19 U.S.C. 195); section 1, Act of August 27, 1949 (ch. 517, 63 Stat. 666; 19 U.S.C. 196a); section 11, Act of June 16, 1951 (ch. 141, 65 Stat. 75; 19 U.S.C. 1367); section 2951, Revised Statutes (19 U.S.C. 420); section 206 (b), Act of May 28, 1956 (ch. 327, 70 Stat. 200; 7 U.S.C. 1856); Act of August 10, 1956 (ch. 1041, 70A Stat. 137; 10 U.S.C. 2383); and section 161(1), Act of August 30, 1954 (ch. 1073, 68 Stat. 950; 42 U.S.C. 2201(1)).

TITLE IV—TARIFF TREATMENT OF CUBAN PRODUCTS

SEC. 401. (a) Cuba is hereby declared to be a nation described in section 5 of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1362, relating to imports from nations and areas dominated or controlled by the foreign government or foreign organization controlling the world Communist movement). Articles which are—

(1) the growth, produce, or manufacture of Cuba, and

(2) imported on or after the date of the enactment of this Act,

shall be denied the benefits of concessions contained in any trade agreement entered into under the authority of section 350 of the Tariff Act of 1930, as amended (19 U.S.C. 1351).

(b) Nothing in subsection (a) shall affect the rates of duty or the customs or excise treatment of articles the growth, produce, or manufacture of any country other than Cuba.

(c) Subsection (a) shall not apply on or after the date on which the President proclaims that he has determined that Cuba is no longer dominated or controlled by the foreign government or foreign organization controlling the world Communist movement.

(d) The Act of December 17, 1903 (19 U.S.C. 124, 125), and section 316 of the

Tariff Act of 1930, as amended (19 U.S.C. 1316), both relating to the implementation of the treaty with Cuba concluded on December 11, 1902, shall not apply during the period during which subsection (a) applies.

TITLE V—EFFECTIVE DATE

SEC. 501. (a) Except as provided in subsection (b), the repeal of titles I and II of the Tariff Act of 1930 and the substitution of a new title I therefor, as provided for in title I of this Act, and the provisions of title III of this Act shall become effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after the 10th day following the date of the proclamation of the President provided for in section 102.

(b) The amendment made by section 302 (a) shall become effective on the 10th day following the date of the proclamation of the President provided for in section 102.

The CHAIRMAN. Under the rule, no amendments are in order except amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. There are no committee amendments, Mr. Chairman.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MACK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10607) to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes, pursuant to House Resolution 564, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOUR OF MEETING MARCH 15

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

BALTIC LEAGUE OF ILLINOIS LAWYERS & JURISTS, INC.

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, among the great international tragedies of our time has been the enslavement by the Soviet Union of the Baltic States and the policy of genocide practiced in those areas by the Soviet Union.

Our State Department has been oblivious to the pleas of responsible free world leaders of the Lithuanian, Latvian, and Estonian people to insist that the U.N. and other international bodies investigate all Soviet colonialism practiced in these nations and other areas of Europe and Asia.

I remind the Members of the House that we have in the Rules Committee various resolutions pertaining to a special House Committee on Captive Nations. We have a responsibility to create such a House group to conduct an effective and extensive investigation and review of all captive nations, despite the objections of Secretary of State Rusk and his advisers.

I deem it especially pertinent at this time to insert into the RECORD a resolution that was adopted at the commemoration of the 44th anniversary of the independence of Lithuania, Latvia, and Estonia by the Baltic League of Illinois Lawyers & Jurists. The resolution is as follows:

The Baltic League of Illinois Lawyers & Jurists, Inc., held its commemoration of the 44th anniversary of the independence of Lithuania, Latvia, and Estonia, on February 25, 1962, at the premises of 6245 South Western Avenue, Chicago, Ill. The following resolution was adopted:

RESOLUTION

Whereas in 1940 Lithuania, Latvia, and Estonia were illegally and forcibly seized by the U.S.S.R., and the Russian agents seized the legal governments of the said Baltic countries and replaced them with a puppet regime; and

Whereas the U.S.S.R. regime of Lithuania, Latvia, and Estonia deprived the people in those countries of their civil rights and fundamental freedom, confiscated their properties and business enterprises, converted its citizens into slaves of the U.S.S.R., and deported them by the thousands to U.S.S.R.; and

Whereas such acts of aggression by the U.S.S.R. against Lithuania, Latvia, and Estonia are against the world peace and decency: Therefore be it

Resolved, That the United Nations should bring forthwith the immediate deliberation on Lithuania, Latvia, and Estonia which have been illegally and without just cause occupied by the forces of U.S.S.R.; and be it further

Resolved, That immediate demand be presented to the Soviet Union delegation requesting the immediate withdrawal of all Soviet Union military forces and the occupational agencies from Lithuania, Latvia, and Estonia; and be it further

Resolved, That the Soviet Union return all enslaved citizens to their native Baltic countries, and release all the prisoners who were unjustly condemned and deported from Lithuania, Latvia, and Estonia; and be it further

Resolved, That the United Nations appoint a special commission to arrange and supervise that the proper elections be set forth to elect their own government officials in Lithuania, Latvia, and Estonia; and be it further

Resolved, That the copy of this resolution be mailed to the Secretary of the United Nations, and the Secretary of State of the United States.

Dated, at Chicago, Ill., this 25th day of February, A.D. 1962.

ANACORTES IS AN ALL-AMERICAN CITY

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. WESTLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WESTLAND. Mr. Speaker, at noon today, Look magazine announced its annual All-American City Awards. I am happy and honored to say to the Members of Congress that Anacortes, Wash., a city situated in my congressional district is among the 11 cities to receive all-American titles this year.

Anacortes is located on the northern tip of Fidalgo Island in Puget Sound. It is a community of some 8,450 Americans, who despite the fact that their area has been designated depressed, have by their own efforts solved many of their problems without outside help.

This is a city with an economic history centered upon fishing and lumber. But through the efforts of its own leaders and with the backing of the people, Anacortes now is the home of two major oil refineries. Its economy is more diversified and there are other plans in the making which will contribute to the stability of the area.

Mr. Speaker, there are many persons who could be singled out for their efforts, but the list would be too long to read at this point. However, I believe Mr. Wally Funk, vice president of the Herald Publishing Co. and former publisher of the Anacortes Bulletin should be commended for his presentation on behalf of Anacortes when the city first was being considered for the award.

I believe that other cities of America could learn much from Anacortes, for its accomplishments show what a community can do locally without relying on handouts from the State or Federal governments.

ADMISSION OF RED CHINA TO THE UNITED NATIONS

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, there is a great deal of misunderstanding in this country about the issues involved in the question of seating Communist China in the United Nations. I regret to say that this misunderstanding must be laid at the door of the Congress and executive department for not having exerted their full efforts to bring these matters to the attention of the people and it must be laid at the door of our mass media for having failed to give heed to the words of those who have

been speaking on the real issues and for having failed to disseminate this information to the people.

It is especially distressing that this misunderstanding exists in the light of the fine job which the U.S. Ambassador to the United Nations, Adlai Stevenson, did in presenting the case to the United Nations during its discussion of the Red China issue. The real reasons for denying Red China a U.N. seat have been ignored in reports to the people; in their place we have seen only fragile wisps from which has been constructed a straw man, easily demolished by those who would make the ordinary American citizen—too busy with home, family and job to be able to dig into the hard-to-reach facts of the case—believe our opposition to seating the Red Chinese is insubstantial and unreasoned.

In order to give more emphasis to the real reasons behind U.S. policy in this area I am placing in the RECORD the speeches of Ambassador Stevenson, made on December 1 and 14 last year, which do a spendid job of spelling these reasons out. These speeches were made before the plenary session of the General Assembly of the United Nations.

I should like to stress, not in disagreement with Ambassador Stevenson but to emphasize certain of his points, that the surest way to destroy the United Nations would be the destruction of its standards, and the admission of a nation which repudiates these standards goes far toward destroying them. I believe it is proper U.S. policy to strive for the improvement of United Nations standards, not to aid and abet in their deterioration.

The details of Red China's acts of repudiation of the U.N. Charter principles should be pointed up more fully and in greater detail. During the most recent debate in this body on the question of a resolution against admission of Red China—the 19th time Congress has passed such a resolution almost unanimously—I urged that the Foreign Affairs Committee state the case against Red China in detail, giving particulars of the Chinese repudiations of international standards. I am happy to say that the committee's chairman, the gentleman from Pennsylvania [Mr. MORGAN], has assured me that this is a project on which the committee staff is now working. In particular I would note Red China's failure to abide by the International Narcotics Agreement, the International Geneva Convention provisions for the treatment of war prisoners and the observance of the Red Cross symbol on hospitals, ambulances, and so forth, and the continuing failure of the Communist Chinese to account for U.S. Korean war prisoners. This list is far from exhaustive.

The real issues in the Red China question should be brought before the people and stressed. I might suggest also that the members of the Americans for Democratic Action take the time to review Ambassador Stevenson's speeches, and then help disseminate facts on the issue. If this were done, I do not believe the Congress would have to go once again through the strange procedure of saying, for the 20th time, that the facts and arguments are overwhelmingly against the admission of Red China to the United Nations.

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE, IN PLENARY, ON THE QUESTION OF THE REPRESENTATION OF CHINA IN THE UNITED NATIONS, DECEMBER 1, 1961

The question confronting the Assembly of the representation of China in the United Nations is of worldwide importance.

We live in an age when the ever-expanding family of nations is striving anew to realize the vision of the United Nations Charter: a world community, freed from the overhanging menace of war, acting together in equal dignity and mutual tolerance to create a better life for humanity. This very Assembly, in its majestic diversity, is both the physical symbol and the practical embodiment—however imperfect—of that transcendent vision.

In striving toward that vision, what we decide about the representation of China will have momentous consequences. For more is at stake than the status of certain delegations. More is at stake than the registering or reflecting of existing facts of power. Indeed, the underlying question is how the great people of China, who by a tragedy of history have been forcibly cut off from their own traditions and even led into war against the community of nations, can be enabled to achieve their own desires to live with themselves and with the rest of the world in peace and tolerance.

This question has a long history. For 12 years past, ever since the Communist armies conquered the Chinese mainland and the Republic of China relocated its Government in Taipei, the community of nations has been confronted with a whole set of profoundly vexing problems. Most of them have arisen from aggressive military actions by the Chinese Communists—against Korea, against the Government of the Republic of China on its island refuge, against Tibet, and against south and southeast Asia.

The problem before us today, in its simplest terms, is this: The authorities who have carried out those aggressive actions, who have for 12 years been in continuous and violent defiance of the principles of the United Nations and of the resolutions of the General Assembly, and deaf to the restraining pleas of law-abiding members—these same warlike authorities claim the right to occupy the seat of China here, and demand that we eject from the United Nations the representatives of the Republic of China.

The gravity of this problem is heightened in its worldwide political and moral significance by the fact that the Republic of China's place in the United Nations, since its founding in 1945, has been filled by its representatives with distinction—filled by representatives of a law-abiding government which, under most difficult circumstances, has done its duty well and faithfully in the United Nations, and against which there is no ground for serious complaint, let alone expulsion.

The United States believes, as we have believed from the beginning, that the United Nations would make a tragic and perhaps irreparable mistake if it yielded to the claim of an aggressive and unregenerate "People's Republic of China" to replace the Republic of China in the United Nations. I realize that we have sometimes been charged with unrealism—and even with ignoring the existence of 600 million people.

That is a strange charge. My country's soldiers fought with other soldiers of the United Nations in Korea for nearly 3 years against a huge invading army from the mainland of China. My country's negotiators have done their best, for nearly 10 years, at Panmunjom, at Geneva, at Warsaw, to negotiate with the emissaries of Peiping.

No country is more aware of their existence. I think it could be said with more justice that it would be dangerously unrealistic if this assembly were to bow to the demands of Peiping to expel and replace the Republic of China in the United Nations; it would be ignoring the warlike character and aggressive behavior of the rulers who dominate 600 million people and who talk of the inevitability of war as an article of faith and refuse to renounce the use of force.

To consider this subject in its proper light, Mr. President, we must see it against the background of the era in which we live. It is an era of sweeping revolutionary changes. We cannot clearly see the end. With dramatic swiftness the classic age of empire is drawing to a close. More than one-third of the member states of the United Nations have won their independence since the United Nations itself was founded. Today, together with all other free and aspiring nations, they are working to perfect their independence by developing their economies and training their peoples. Already they play a vital part in the community of nations and in the work of this organization.

Thus, for the first time in history on this grand scale, we have seen an imperial system end, not in violent convulsions and the succession of still another empire, but in the largely peaceful rise of new independent states—equal members of a worldwide community.

So diverse is that community in traditions and attitudes; so small and closely knit together is our modern world; so much do we have need of one another—and so frightful are the consequences of war—that all of us whose representatives gather in this general assembly hall must more than ever be determined, as the charter says, "To practice tolerance and live together in peace with one another as good neighbors." For there can be no independence any more except in a community: and there can be no community without tolerance.

Such is one of the great revolutionary changes of our time: a spectacular revolution of emancipation and hope. But this century has also bred more sinister revolutions born out of reaction to old injustices and out of the chaos of world war. These movements have brought into being a plague of warrior states—the scourge of our age. These regimes have been characterized not by democracy but by dictatorship; they have been concerned not with people but with power; not with the consent of the people but with control of the people; not with tolerance and conciliation but with hatred, falsehood, and permanent struggle. They have varied in their names and their ideologies but that has been their essential character.

Nowhere have these qualities been carried to a greater extreme, or on a grander scale, than on the mainland of China under Communist rule. The regime has attempted through intimidation, hunger, and ceaseless agitation—and through a so-called commune system which even allied Communist states view with distaste—to reduce a brilliant and spirited civilization to a culture of military uniformity and iron discipline. Day and night, by poster and loudspeaker and public harangue, the people are reminded of their duty to hate the foreign enemy.

Into the international sphere the Chinese Communists have carried the same qualities of arrogance, regimentation and aggression. Many people hoped, after their invasion of Korea ended, that they would thereupon give up the idea of foreign conquest. Instead they sponsored and supplied the communizing of North Vietnam; they resumed their warlike threats against Taiwan; they launched a campaign of armed conquest to end the autonomy of Tibet; and all along their southern borders they have pressed forward into new territory. To this day, in a fashion recalling the early authoritarian emperors of China, they pursue all these policies, and in addition seek to use the millions of Chinese residing abroad as agents of their political designs.

In fact, these modern Chinese imperialists have gone further than their imperial ancestors ever dreamed of going. There are at this time in Communist China training centers for guerrilla warfare, young men from Asia, Africa, and Latin America being trained in sabotage and guerrilla tactics for eventual use in their own countries. Thus the strategy of Mao Tse-tung, of "protracted revolutionary war in the rural areas," has become one of the principal world exports—and no longer an "invisible export"—of Communist China.

We have exact information about some of these activities. For example, we have the testimony of six young men from the Republic of Cameroun who traveled clandestinely from their country to the mainland of China last year. They arrived in China on June 9 and left on August 30. During that period they had a 10-week course from French-speaking instructors in a military academy outside Peiping. The curriculum of this educational institution, taken from the syllabus those men brought home, included such items as these:

Correct use of explosives and grenades.

Planning a sabotage operation.

How to use explosives against houses, rails, bridges, tanks, guns, trucks, tractors, etc.

Manufacture of explosives from easily obtained materials.

Manufacture and use of mines and grenades.

Use of semiautomatic rifles and carbines.

Theory and practice of guerrilla warfare; ambushes; attacks on communications.

Political lectures with such titles as "The People's War," "The Party," "The United Front," and, of course, "The Imperialists Are Only Paper Tigers."

This, incidentally, was the fourth in a series of courses to train Camerounians to fight for the overthrow, not of European colonial rulers (for their rule had already ended) but of their own sovereign African government.

Such an affinity for aggressive violence, and for subversive interference in other countries, is against all the rules of the civilized world; but it accords with the outlook and objective of the Peiping rulers. It was the supreme leader of Chinese communism, Mao Tse-tung, who summed up his world outlook over 20 years ago in these words: "Everything can be made to grow out of the barrel of a gun." And again: "The central duty and highest form of revolution is armed seizure of political power, the settling of problems by means of war. This Marxist-Leninist principle is universally correct, whether in China or in foreign countries; it is always true."

President Tito of Yugoslavia knows to what extremes this dogma of violence has been carried. In a speech to his people in 1958, he quoted the Chinese leaders as saying with apparent complacency "that in any possible war * * * there would still be 300 million left: that is to say, 300 million would get killed and 300 million would be left behind."

In an age when reasonable men throughout the world fear and detest the thought of nuclear war, from the Chinese Communist thinkers there comes the singular boast that, after such a war, "on the debris of a dead imperialism the victorious people would create with extreme rapidity a civilization thousands of times higher than the capitalist system and a truly beautiful future for themselves."

In fact, only 3 months ago it was these same Chinese Communist leaders who officially acclaimed the resumption of nuclear tests by the Soviet Union as "a powerful inspiration to all peoples striving for world peace." What a queer idea of world peace they seem to have.

With such a record and such a philosophy of violence and fanaticism, no wonder this regime, after 12 years still has no diplomatic relations with almost two-thirds of the governments of the world. One cannot help wondering what the representatives of such a predatory regime would contribute in our United Nations councils to the solution of the many dangerous questions which confront us.

I believe these facts are enough, Mr. President, to show how markedly Communist China has deviated from the pattern of progress and peace embodied in our charter and toward which the community of nations is striving. In its present mood it is a massive and brutal threat to man's struggle to better his lot in his own way—and even, perhaps, to man's very survival. Its gigantic power, its reckless ambition, and its unconcern for human values, make it the major world problem.

Now, what is to be done about this problem? And what in particular can the United Nations do?

The problem is, in reality, age-old. How can those who prize tolerance and humility, those whose faith commands them to "love those that hate you," how can they make a just reply to the arrogant and the rapacious and the bitterly intolerant? To answer with equal intolerance would be to betray our own humane values. But to answer with meek submission or with a convenient pretense that wrong is not really wrong—this would betray the institutions on which the future of a peaceful world depend.

There are some who acknowledge the illegal and aggressive conduct of the Chinese Communists, but who believe that the United Nations can somehow accommodate this unbridled power and bring it in some measure under the control—or at least the influence—of the community of nations. They maintain that this can be accomplished by bringing Communist China into participation in the United Nations. By this step—so we are told—the interplay of ideas and interests in the United Nations would sooner or later cause these latter-day empire builders to abandon their warlike ways and accommodate themselves to the rule of law and the comity of nations.

This is a serious view and I intend to discuss it seriously. Certainly, we must never abandon hope of winning over even the most stubborn antagonist.

But reasons born of sober experience oblige us to restrain our wishful thoughts. There are four principal reasons which I think are of overriding importance and I must earnestly urge the Assembly to consider them with great care, for the whole future of the United Nations may be at stake.

My first point is that the step advocated, once taken, is irreversible. We cannot try it and then give it up if it fails to work. Given the extraordinary and forbidding difficulty of expulsion under the charter, we must assume that, once in our midst, the Peiping representatives would stay—for better or for worse.

Secondly, there are ample grounds to suspect that a power given to such bitter words and ruthless actions as those of the Peiping regime, far from being reformed by its experience in the United Nations, would be encouraged by its success in gaining admission to exert, all the more forcefully, by threats and maneuvers, a most disruptive and demoralizing influence on the Organization at this critical moment in its history.

Thirdly, its admission, in circumstances in which it continues to violate and defy the principles of the charter, could seriously shake public confidence in the United Nations—I can assure you it would do so among the people of the United States—and this alone would significantly weaken the Organization.

Elementary prudence requires the General Assembly to reflect that there is no sign or record of any intention by the rulers of Communist China to pursue a course of action consistent with the charter. Indeed, the signs all point the other way. The Peiping authorities have shown nothing but contempt for the United Nations. They go out of their way to depreciate it and to insult its members. They refuse to abandon the use of force in the Taiwan Straits. They continue to encroach on the territorial integrity of other states. They apparently don't even get along very well with the U.S.S.R.

Fourth, Mr. President, and with particular emphasis, let me recall to the attention of my fellow delegates the explicit conditions which the Chinese Communists themselves demand to be fulfilled before they will deign to accept a seat in the United Nations. I quote their Prime Minister, Chou En-lai:

"The United Nations must expel the Chiang Kai-shek clique and restore China's legitimate rights; otherwise it would be impossible for China to have anything to do with the United Nations."

In this short sentence are two impossible demands. The first is that we should expel from the United Nations the Republic of China. The second, "to restore China's legitimate rights," in this context and in the light of Peiping's persistent demands, can have only one meaning—that the United Nations should acquiesce in Communist China's design to conquer Taiwan and the 11 million people who live there, and thereby to overthrow and abolish the independent government of the Republic of China.

The effrontery of these demands is shocking. The Republic of China, which we are asked to expel and whose conquest and overthrow we are asked to approve, is one of the founding members of the United Nations. Its rights in this organization extend in an unbroken line from 1945, when the charter was framed and went into effect, to the present.

Mr. President, the Republic of China is a charter member of this organization. The seat of the Republic of China is not empty; it is occupied, and should continue to be occupied, by the able delegates of the Government of the Republic of China.

The fact that control over the Chinese mainland was wrested from the Government of the Republic of China by force of arms, and its area of actual control was thus greatly reduced, does not, in the least, justify expulsion, nor alter the legitimate rights of the Government.

The de jure authority of the Government of the Republic of China extends throughout the territory of China. Its effective jurisdiction extends over an area of over 14,000

square miles, an area greater than the territory of Albania, Belgium, Cyprus, El Salvador, Haiti, Israel, Lebanon, or Luxembourg—all of them member states of the United Nations. It extends over 11 million people; that is, over more people than exist in the territory of 65 United Nations members. Its effective control, in other words, extends over more people than the legal jurisdiction of two-thirds of the governments represented here. The economic and social standard of living of the people under its jurisdiction is one of the highest in all Asia, and is incomparably higher than the miserable standard prevailing on the mainland. The progressive agrarian policy of the Government of the Republic of China and its progress in political, economic, and cultural affairs contrast starkly with the policies of the rulers in Peiping under whom the unhappy lot of the mainland people has been little but oppression, communes, famine, and cruelty.

All those who have served with the representatives of the Republic of China in the United Nations know their high standards of conduct, their unfailing dignity and courtesy, their contributions, and their consistent devotion to the principles and the success of our organization.

The notion of expelling the Republic of China is thus absurd and unthinkable. But what are we to say of the other condition sought by Peiping—that the United Nations stand aside and let them conquer Taiwan and the 11 million people who live there? In effect, Peiping is asking the United Nations to set its seal of approval in advance upon what would be as massive a resort to arms as the world has witnessed since the end of World War II. Of course the United Nations will never stultify itself in such a way.

The issue we face is, among other things, this question—whether it is right for the United Nations to drive the Republic of China from this organization in order to make room for a regime whose appetite seems to be insatiable. It is whether we intend to abandon the charter requirement that all U.N. members must be peace loving and to give our implicit blessing to an aggressive and bloody war against those Chinese who are still free in Taiwan. What an invitation to aggression the Soviet proposal would be—and what a grievous blow to the good name of the United Nations.

In these circumstances the United States earnestly believes that it is impossible to speak seriously today of "bringing Communist China into the United Nations." No basis exists on which such a step could be taken. We believe that we must first do just the opposite: we must instead find a way to bring the United Nations—its law and its spirit—back into the whole territory of China.

The root of the problem lies, as it has lain from the beginning, in the hostile, callous, and seemingly intractable minds of the Chinese Communist rulers. Let those members who advocate Peiping's admission seek to exert upon its rulers whatever benign influence they can, in the hope of persuading them to accept the standards of the community of nations. Let those rulers respond to these appeals; let them give up trying to impose their demands on this Organization; let them cease their aggression, direct and indirect, and their threats of aggression; let them show respect for the rights of others; let them recognize and accept the independence and diversity of culture and institutions among their neighbors.

Therefore, Mr. President, let the Assembly declare the transcendent importance of this question of the representation of China. Let us reaffirm the position which the General Assembly took 10 years ago, that such a question as this "should be considered in the light of the purposes and principles of the charter."

The issue on which peace and the future of Asia so greatly depend is not simply whether delegates from Peiping should take a place in the General Assembly. More profoundly still, it is whether the United Nations, with its universal purposes of peace and tolerance, shall be permitted to take its rightful place in the minds of the people of all of China.

Today the rulers in Peiping still repeat the iron maxim of Mao Tse-tung: "All political power grows out of the barrel of a gun." If that maxim had been followed the United Nations would never have been created, and this world would long since have been covered with radioactive ashes. It is an obsolete maxim, and the sooner it is abandoned, the sooner the people of all of China are allowed to resume their traditionally peaceful policies, the better for the world.

The United States will vote against the Soviet draft resolution and give its full support to the continued participation of the representatives of the Government of the Republic of China in the United Nations.

No issue remaining before the United Nations this year has such fateful consequences for the future of this organization. The vital significance which would be attached to any alteration of the current situation needs no explanation. The United States has therefore joined today with the delegations of Australia, Colombia, Italy, and Japan in presenting a resolution under which the Assembly would determine that any proposal to change the representation of China would be considered an important question in accordance with the Charter. Indeed, it would be hard to consider such a proposal in any other light and we trust it will be solidly endorsed by the Assembly.

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE, IN PLENARY SESSION, ON THE CHINESE REPRESENTATION QUESTION, DECEMBER 14, 1961

At this session of the General Assembly the United States favored full and free debate on the question of the representation of China in the United Nations. We have been having just such a debate for 2 weeks, and we have heard from no less than 50 speakers.

At several points we have heard again some old ideological tirades. History has been turned upside down by such statements that it was South Korea which attacked North Korea on that infamous Sunday morning in June 1950. And a few of the speeches have been seasoned with captious, capricious and irrelevant inaccuracies. I shall resist the temptation to contradict them in detail.

Mr. President, I must, however, reply briefly to a suggestion by several speakers—that the real reason for U.S. opposition to a change in Chinese representation is that we resent the social system of the Peiping regime. This, of course, is a red herring. It is well known that we maintain normal relations with a number of Communist states. We did not oppose the recent entry of another such country into this body. In recent weeks the President of the United States said quite clearly that we have no objection to a Communist regime if that is what the people of a certain country want for themselves.

No, Mr. President, that is not the problem. Nor is it the problem that we are confusing 1962 with 1945 or 1949; indeed, we believe in the redemption of sin—and letting bygones be bygones.

No amount of good will, of tolerance, of generosity, or of wishful thinking can obscure the reality of 1961—that we are asked to offer membership in this body to a regime which believes in the rule of the gun—not the rule of reason, or of negotiation, or of cooperative action—but the rule of the gun.

And no amount of sentiment can obscure the fact that the draft resolution of the Soviet Union would give a license for the Peiping regime to use armed force against a member who sits in this Assembly. One can hardly accuse Ambassador Zorin of equivocation on this point. In his opening statement in this debate he was explicit about the alleged "right" of Peiping to "liquidate through the use of force" the Republic of China on Taiwan. "That," he said, "is within its exclusive right and nobody else's."

Mr. President, this body has devoted many anguished hours to its duty and resolve to prevent the use of force. Now we are faced with this stupefying request to sanction the use of force.

And some would have us believe, Mr. President, that this really is not an important question for the United Nations—just a routine procedural point for casual decision.

Mr. President, article 18 of the charter, which deals with the important question issue is not a narrow, legalistic concept. In the wisdom of the founders, it is left to the Assembly to determine—on general political grounds—what is and is not an important question. And this is precisely what the Assembly has done on one occasion after another. There is nothing unusual about the procedure involved. For example, as recently as October 27 this year the Assembly decided by vote that a resolution dealing with the report of the Scientific Committee on Effects of Atomic Radiation was of sufficient importance to require for passage a two-thirds majority of all members present and voting. This was fully in accordance with the rules of procedure and article 18 of the charter.

There has also been an effort to confuse this debate by contending that a precedent was sent for the question before us when the Assembly accepted the credentials of the representatives of the Republic of the Congo (Leopoldville) in November 1960. The statement has even been made that the resolution was passed by a simple majority.

In point of fact, the resolution was passed by better than a two-thirds majority. But that is not the main point. The main point is that there is no analogy between the presentation of credentials by the unchallenged chief of state of a new nation which has just achieved membership and the present proposal to throw out a founding member and replace it with representatives of another regime. I hope no further effort will be made to confuse the issue on this score.

Mr. President, I submit with all sincerity that the proposal to expel a member which supports the charter to make room for a regime which defies the charter and to arm that regime with a United Nations license to make war across the Formosa Strait is wrong from the viewpoint of this organization—is morally wrong—is legally wrong—is unrealistic in the light of the relevant realities of 1961. And, whatever else may be said, it is undubitably an important question—one of the most important questions ever likely to come before us.

A recurrent theme running through the arguments put forth by those who favor immediate admission of Red China is a plea for realism. Let us face the fact, these speakers say, that the mainland of China has been under the control of the Chinese Communist Party for lo, these 12 years past. Let us, they say, face the fact—repeated from this rostrum scores of times during the past 10 days—that there are 650 or 700 mil-

lion Chinese people under the control of that regime. And, they say finally, let us face the fact that this is 1961—not 1945.

The idea behind this theme seems to be that other delegations are guilty of a lack of realism because they are not bowled over by the big reality—which seems to be that Communist control of mainland China is Communist control of mainland China. But no one has disputed this obvious fact. As I heard it repeated over and over, I thought of the aphorism about the woodpecker: "Thou sayest such undisputed things in such a solemn way."

But these repeated facts only help to define the problem; they do not help to solve it.

To act wisely on the matter before us, we must look at all the relevant and current realities bearing upon the Communist regime in Peiping and the organization it aspires to join. I suggest that there are six such realities of major consequence to the decision we are soon to make.

The first reality is that the regime in Peiping does not in any meaningful way represent those 700 million people of whom we have heard so often these past 2 weeks: the mass executions, the iron controls, the total suppression of all personal freedom and civil liberties, the 2 million Chinese refugees in Hong Kong—these are proof enough.

The second reality is that the Communist Chinese regime has already made a record of aggression and hostility toward its neighbors in Korea, in Tibet, in India and in southeast Asia.

The third reality is that the Chinese Communists are dedicated today—and as a matter of high policy—to war and violent revolution in other countries.

The fourth reality is that the Republic of China is a founding member of the United Nations—that the Government of the Republic of China exists, and so do 11 million people on Taiwan—that its delegation which sits here now has performed honorable service to the United Nations and its Charter.

The fifth reality is the Charter of the United Nations—which sets forth explicitly the requirements for membership and the terms for expulsion.

The sixth reality is the proposal which is put to us in the Soviet draft resolution—which is this: that by our own deliberate action we are first to throw out a founding member who is guilty of nothing, in order to empty a seat in this hall; we are then to invite another delegation to enter this body on its own terms, to fill that empty seat; and we are to present that new delegation with a special license to commit armed aggression against the member we have just ejected illegally.

This is the reality of the proposal before us: to violate our own charter to make room for a regime whose creed and actions are diametrically opposed to the letter and spirit of the U.N. Charter.

These are realities. These are facts. And it is precisely these hard, cold, and current realities of 1961 which persuade my delegation that what we are asked to do is not realistic, but unrealistic.

And it is these realities which have been overlooked or conveniently ignored by some who have spoken on this subject in recent days.

Mr. President, to be tolerant we do not have to be naive; to be generous we do not have to be foolhardy; and to be realistic, most certainly we do not have to be carried away by wishful dreams.

I have in mind especially the suggestion made by several speakers that once the Peiping regime has been admitted to this organization, it would forthwith change its spots—and join cooperatively with other nations to help keep the peace and otherwise engage in constructive international enterprise.

This is a most tempting thought which all of us would like to share. But I still look for evidence that there is any substance to it. All the evidence points the other way. And it would be exceedingly dangerous to substitute our hopes for the hard evidence about the intentions of the Peiping regime which is furnished to us by that regime itself.

This evidence is not of our manufacture. It is not the product of ill-will on our side. It is the official evidence offered by the Peiping regime itself—in its own words and in its own actions. We would ignore it at our common peril because it bears directly upon the work and the future of this organization. And it shows clearly just how harmoniously the Peiping regime would fit into the deliberations of this body—just how constructive a contribution we could expect from this new voice in the United Nations.

Let me remind the delegates of the basic world view of the Peiping regime. It was put quite clearly by Red Flag, the theoretical journal of the central committee of the Chinese Communist Party, in April 1960.

"Everyone knows," says Red Flag, that there are "principally two types of countries with social systems fundamentally different in nature. One type belongs to the world Socialist system, the other to the world capitalist system." This statement means that in the eyes of Peiping every member of this assembly which does not belong to the world Communist system belongs by definition to what Peiping calls the "capitalist-imperialist system"—for there are only two types of countries.

And Red Flag goes on to announce "the capitalist-imperialist system absolutely will not crumble by itself. It will be pushed over by the proletarian revolution within the imperialist country concerned, and the national revolution in the colonial and semi-colonial countries. Revolution means the use of revolutionary violence by the oppressed class, it means revolutionary war."

This concept is further borne out by a statement from a senior official of the Chinese Communist Government, Tung Pi-wu, who declared on October 9, 1961, at a public meeting in Peiping, "in the present epoch, only under the leadership of the proletariat, and by obtaining the help of the Socialist countries, will it be possible for any country to win complete victory in its national and democratic revolution." In other words a Communist revolution, aided by external support from Communist countries, must still be fostered in the newly independent countries of the world.

Proof that these are not mere words was heard in this Assembly only the other day, when the distinguished delegate of one new African nation poignantly described Peiping's incessant campaign to destroy his government through subversion and guerrilla warfare.

This is the world view of the Peiping regime and it should be warning enough to all of us. But what does Peiping think more precisely about our most urgent world problems—about the kind of problem we attempt to deal with in these United Nations? I shall mention two—disarmament and the U.N. operations in the Congo.

On disarmament we also find the evidence in the same Red Flag article. Remember, if you please, the premise that all nations which are not members of the world Communist system are considered to be "imperialist." Red Flag says: "It is inconceivable that imperialism will accept a proposal for general and complete disarmament * * * only when the Socialist revolution is victorious throughout the world can there be a world free from war."

That takes care of our search for general disarmament. According to Peiping it is a hopeless illusion until all governments have been overthrown by violent Communist revolution. In the meantime, Peiping's policy on the recent rupture of the moratorium on nuclear testing is the following—in their own words, of course: "The Soviet Government's decision to conduct experimental explosions of nuclear weapons is in accord with the interests of world peace and those of the people of all countries."

As for the United Nations operation in the Congo, Peiping's policy is set forth as recently as December 6 in the People's Daily, the official newspaper of the Chinese Communist Party. Our peacekeeping effort in the Congo, in which troops of a score of members are involved, is described in People's Daily as nothing but imperialism under United Nations cover. "As long as the Congo remains occupied by the United Nations force," according to People's Daily, "the Congolese issue will remain unsolvable and the freedom of other African countries insecure." The article demands an immediate stop to the United Nations operation in the Congo.

That, of course, is a prescription for tribal strife, chaos and slaughter in the Congo—which, no doubt, is what Peiping desires.

Finally, Mr. President, at the very moment when some members of this Assembly were pleading the qualifications of the Peiping regime for membership in the United Nations, the People's Daily of December 10, 1961—just 4 days ago—said:

"All revolutionary people can never abandon the truth that 'all political power grows out of the barrel of a gun'."

"The revolutionary theories, strategy and tactics, summed up by the Chinese people in revolutionary practice and expressed in a nutshell in Comrade Mao Tse-tung's writings, are carrying more and more weight with the people of various countries."

"To put it frankly, all oppressed nations and peoples will sooner or later rise in revolution, and this is precisely why revolutionary experiences and theories will naturally gain currency among these nations and peoples. This is why pamphlets introducing guerrilla warfare in China have such wide circulation in Africa, Latin America and Asia."

Nowhere in this extraordinary document do the Chinese Communists deny that their actions have been as I described them. Indeed, they boastfully announce their intention to continue spreading violence and dissension abroad.

Note carefully, also, if you will, that none of these official statements has anything to do with membership or nonmembership in the United Nations. Peiping does not say that it favors atomic testing now, but would feel differently if admitted to the United Nations. Peiping does not say that it wants the United Nations to abandon the Congo now, but would feel differently if admitted to the United Nations. Peiping does not say that, although it is now training guerrillas for revolution in other countries, it would act differently if admitted to the United Nations.

We have no other choice but to believe that these policies would be pursued and advocated in this very Assembly by Chinese Communist representatives who believe that all political power grows out of the barrel of a gun.

What else can we assume—and be realistic? What else can we expect—confronted with the evidence?

It seems to me, Mr. President, that the members will be well advised to think carefully about our obligations and responsibilities to the people of the world, who want the United Nations to continue as a going concern—and go on to new strengths and new triumphs. They would do well to consider the already delicate deliberations of this body—and the already difficult operations on which we are embarked. They would do well to think long and hard about these things—and then ask themselves whether the work of this body would be helped or hindered by the presence here of a delegation from Peiping.

One of the members, in the course of debate, lamented at length on the sad plight of the people on mainland China. My delegation yields to no other in its concern for the people of China. But the delegate in question went on to suggest that if Peiping were in the United Nations, the Food and Agriculture Organization "could have been of assistance" to the hungry people of China.

Perhaps he does not know that Peiping rejected an offer of help extended to the Chinese Communist Red Cross Society by the League of Red Cross Societies—of which Communist China is a member. While we know of it from the press, the people on the Chinese mainland never were told that such an offer of international assistance had been extended.

Would Peiping, which refused help for its own people from one humanitarian international organization to which it belongs, accept help from another international organization?

In the meantime, Mr. President, it is not my delegation which presumes to pass judgment on others. We are not, as several have implied, inventing some subtle moral criterion to decide who is good and who is bad, who is correct and who incorrect, who is respectable and not respectable.

On the contrary, the principles to which members of the United Nations are bound are stated quite explicitly in the charter in terms which we would be the last to want to refine. And the evidence of Peiping's disdain for these principles is written with equal clarity. We ask only that each member compare the official charter and the official record.

Mr. President, the Soviet proposal, and the amendment to it submitted by three delegations, not only call for the expulsion of a loyal member of the United Nations, but implicitly would encourage the Chinese Communists to use force to achieve their objectives.

For these reasons, we believe that the Soviet proposal to unseat the Government of the Republic of China and replace it with a delegation from Peiping should be emphatically rejected, and we will vote against it.

The amendment to that proposal submitted by the delegations of Cambodia, Ceylon, and Indonesia, while set forth with greater sophistication than the Soviet proposal, clearly would have the same effect. We believe it should be likewise rejected and will accordingly vote against it, also.

And for all these reasons I am equally confident that the members will confirm the plain fact that any proposal to alter the representation of China in the United Nations would be a vitally important question under the charter.

COMMENTS ON THE ADMINISTRATION'S AGRICULTURAL PROGRAM

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, during the past few weeks, farm families in my district have become quite disturbed about the proposals of the Secretary of Agriculture to regiment this way of life.

Many of them have written me to express their concern, and in doing so, have come forward with some observations on government and its relation to agriculture and other aspects of our daily living, that I feel compelled to share these letters with my colleagues.

The Committees on Agriculture in the House and Senate are currently appraising legislation which will either put the administration's program into effect or choose another course which will enable the farmer to enjoy a measure of freedom in conducting his own affairs.

I happen to belong to the group which feels that there is a better way than what the administration is proposing. I have introduced legislation which would extend existing conservation reserve contracts so that the land which has been retired under this program will not be brought back into production. In addition, I have introduced the cropland retirement program which will permit farmers to enter into voluntary contracts to take more land out of production and bring production in line with consumption and at the same time decrease some of the surplus stocks of grain for which we are making tremendous storage payments each day.

It is my hope that these letters will attract the attention of the Members who will be deliberating on this legislation in committee. I trust that these grassroots expressions from some of the finest farm families in the world will have an influence on the type of legislation which is eventually brought before the Congress. There is much food for thought in what these people have to say.

I am grateful for the privilege extended me by the authors of these letters to bring them to the attention of my colleagues.

MUSCATINE, IOWA,
January 24, 1962.

Representative FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR SIR: I spent 4½ years in service before 1946. In 1949, in a farm accident, I lost my left arm. My wife and I aren't asking for any help, we just want a chance to keep on farming for ourselves—something we have known all our lives. We feel that bigness in farming and Government programs will force us out of the life we like if these things are allowed to continue.

The reason for writing this letter is to let you know our feelings on some of the things the Federal Government is trying to do to us.

We are opposed to the way Government is taking over things. It seems like the more they are getting into things, the worse off we are.

This new farm program for the sixties—we don't think that this is the thing for the farmer—controlling everything he does, telling him what he can raise and how much. What we need is some commonsense among the farmers themselves. They shouldn't produce so much and should get back to the law of supply and demand before we lose all of our freedom. We hate to think of what our future is coming to. Why not let farmers do for themselves? Why push the small farmer out? We think small farms should be encouraged and more farmers kept on farms. They should have more voice in politics. This way they will be kept off the already overburdened labor market.

Stop the Government before it gets out of hand. Anybody can balance a budget if they can keep reaching out for more money from some source or other.

Always increasing postal rates will never solve the problems. It has been proven, the higher things get, the less people use them.

The Government tells the people they will have to tighten their belts (in other words live within their means). Why don't they practice what they preach; it's worth a try.

We hope you are opposed to some of these bills also, and will do all you can to get the right things done for the people.

Sincerely yours,
Mr. and Mrs. EDWARD JENSEN.

FORT MADISON, IOWA,
February 1, 1962.

DEAR CONGRESSMAN SCHWENGEL: "No Controls-No Supports" is going to be one of the clubs Secretary Freeman and his adviser will use, both on farmers and Congress to get their program through.

With mandatory control, a small farmer will be put out even if he doesn't move off the farm. Such a program would make farming inefficient and we would lose our American right to produce. I think all farm programs should be as voluntary as possible.

I would like to see a program like the bills you sent me last year, H.R. 4267 and H.R. 2736, which were referred to the Committee on Agriculture. Thanks for sending me these copies.

Allotments, quotas, and marketing orders that would require policing every farm will sure not solve the farm problems.

The past history allotments are unjust to the farmer who handles his land as it should be farmed. If you have half or more of your cropland in hay and pasture, you have to have a small allotment to be efficient.

The farmer who puts his whole farm in grain and causes the surplus, benefits, from past history.

We had a good growing season since the surplus has been piling up but if we had a widespread drought like in 1934 or 1936, or disaster—atomic fallout, could make our surplus a great blessing.

Sincerely,
JOHN S. KROGMEIER.

PARNELL, IOWA,
February 1, 1962.

Hon. FRED SCHWENGEL,
House of Representatives,
Washington, D.C.

SIR: I have read in this evening's paper about the new farm program just sent to Congress. It is stated that the farmers have the choice of accepting much tighter production controls or face a cutoff of most Federal price supports and other aid. The report goes on to say that should the program be rejected, the Government would withdraw all supports and reserve the right to dump up to 200 million bushels of its surplus grain on the markets. None of these threats of curtailment of the so-called benefits of the programs makes the least bit of difference to me for I have never been a participant in any of them. It is very clear, however, that the administration is doing

all within its power to coerce both the farmers and Congress to accept its dictum. It is this which I resent and intend to resist by all means at my disposal.

I am unreservedly opposed to Government controls on any segment of our life or economy. Such tactics as those described above seem to me to be a sad commentary upon the intentions of Government as well as the State of thinking of a very large segment of our population which seems to be quite willing to back an officialdom determined to extend controls. It is my conviction that unless this kind of thinking is stopped and unless we can come to see the outcome of this trend, we can expect a continual erosion and loss of freedom and liberties that have been enjoyed in this country.

I have been opposed to farm programs at all times and it seems to me that by now it should be rather obvious that they have done nothing they were supposed to do unless it was to persuade farmers to vote in a certain way. The fact that the administration feels that it must impose more and more drastic controls is in itself an admission of the failures of past programs. The administration will not admit these failures but only reacts with more rigid controls. However, this is a logical reaction from an administration committed to a whole program of centralization of power in a Federal bureaucracy.

I am the owner of some farmland but because I have always considered farm programs to be detrimental to a sound agriculture and because I am opposed to seeing Government regulations extended, I have never participated in any of these programs. Farm programs have already reduced a very large portion of the farm population to a state of semidependency on Federal handouts and are also keeping a lot of families on farms who would be very much better off in other work. I feel that these people in our farm population are being made tools of and supporters of the party or candidate that can make the greatest promises and deliver the largest subsidies.

The President has sent his farm program to Congress—permit me now to outline my farm program to you. The primary aim of my program is to be the assertion and exercise of whatever personal liberties remain to me in the management of my affairs and the personal pleasure the exercise of these rights will afford. My program will automatically go into effect when Congress enacts a program imposing any more drastic controls or proceeds to dump surplus corn on the market for the purpose of forcing farmers to comply with their programs. It is my intention to retain complete control and independence in the management of my own land. In order to protect my rights in this regard, I propose to cancel the lease with the man who farms this land and will let the farm lie idle. Perhaps this may seem to be playing into the hands of the administration, for it would aid in reduction of the troublesome surplus. However, with the land idle there will be no income from it, thus no tax on income. I will have the satisfaction of keeping my land from producing income to be taxed for a spendthrift administration to bestow on farm program cooperators and their other giveaway programs. This land will not only provide no tax revenue, but will become a loss and will appear so in my income tax returns.

Also, the tenant who has had this land has also had another farm nearby upon which he makes his home. This farm is small and is managed by a farm management service. The farm manager recently told me that it was very fortunate that this man was able to rent my land for without it he didn't see how the tenant could make ends meet. It is not my chief purpose or desire to close my land in order to put this man out of business but this is likely to be the result should I carry out my plan as outlined.

In closing, I wish to say that the one thing I am in favor of is to have the Government get out of regulatory programs and allow the marketplace to regulate our economy. After these many years in which these programs and controls have been developed and so many of our citizens have learned to depend on them, I can see how difficult this might be. Permit me also in closing this expression of my views to express the hope that I can count on you to exert all the influence at your disposal in opposition to the proposed farm program as well as against the encroaching Government controls in all areas.

Sincerely yours,

HOWARD E. WEBSTER.

STOCKTON, IOWA,
February 8, 1962.

DEAR MR. SCHWENGEL: With all the facts at your command can't you see that with such a small percent of us as farmers it wouldn't take much to change the picture. If we each cut our production a small percent and did it on our own, we would be so much better off. All the poor publicity the farm gets, why not use a lot to make the farmer see the light. Years ago supply and demand used to take care of things. It will again if the Government would let us alone. They are just afraid—afraid things might get a little tough on some working people before it leveled off.

Seems such a shame with all the people in our Government that there isn't one man who was born and raised on the farm who has contact with people now living on the farm—not 600 or 300 acres, but 160—and who saw military service so didn't make a haul in war years. Someone who has been at it 10 years who had to buy machinery, etc., and look over the books and see what the picture looks like. We live west of Davenport—west where we have mostly 160-acre farms and everyone is hurting. It is the price of machinery, repairs, taxes, etc. Seems such a shame to pick up magazines and read success stories that are published for the public to read and in the end in small print, "Of course, Mr. Smith was fortunate to be able to use some of his father's machinery." He had only $1,500 invested himself. Kinda funny in a sad sort of way for a farmer to read that, and city people don't know and believe all farmers are wrapped in gold.

Suppose you get dozens of letters like this. We just wonder how there can be so many people in Government and no one really knows what it's like on the farm. I'd be happy to put a sign out: "Senators, etc., vacation here to see how a small farmer lives." We have it comfortable, but can't make an extra cent.

Thank you for your time. Nice to chat with you this morning. I'm watching the sunrise. It is lovely. Too bad more people don't learn to enjoy the things God has given us. They wouldn't need so much money to see beauty everywhere. Hope in your small way you can help the small percentage of farmers that are left.

Sincerely,

MRS. EDW. C. HOFFBAUER.

MUSCATINE, IOWA,
February 8, 1962.

Representative FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR FRED: I am enclosing a clipping that appeared in our local paper, also a copy of the letter I wrote to Mr. Lester Menke.

FRED, this Kennedy-Freeman-Cochrane farm program is certainly becoming more vicious by the day. As you know the long-term program does not offer any realistic choice. To force such a program on the American farmer by telling him he must accept it or nothing is certainly un-American and causes one to wonder what is going on in high Government places. Sometimes I wonder if we should not have a little Federal aid for education in economics for those in some high places.

I know, FRED, you will do everything within your power to keep this great country of ours free.

Good luck to you and Mrs. Schwengel.

Sincerely,

JAMES VAN NICE.

WEST LIBERTY, IOWA,
February 10, 1962.

DEAR SIR: Freeman's farm bill would really hogtie our production and also our income. It would be just as sensible for Government to tell Ford or General Motors how many cars they could make and sell each year.

I find no provision in the Freeman plan whereby the farm income will be increased. We farmers are receiving a decreasing percentage of the labor dollar spent for food. But the Government still permits labor to get higher and less productive wages.

It seems to me that most of the Kennedy program should be defeated. A lot of "no" votes could stop this terrible inflation.

Hope you will do your share in trying to head off this increasing war expenditures, etc.

Yours truly,

ALLEN ELIASON.

KRO FLIES KITES,
Keokuk, Iowa, February 15, 1962.

Hon. FRED SCHWENGEL,
House Office Building, Washington, D.C.

DEAR MR. SCHWENGEL: Please hear me out—I know of the many demands placed on your time and energy, but it is nearing the time when protests will be eliminated. Our cries will be hidden in the wilderness of Government redtape. We are to conform or be cast out.

I say it is almost too late. The horse is stolen and the barn is in danger.

In 1958 I planted and harvested 40 acres of corn on my farm. In 1959 I intended to plant 32 acres, but due to the abnormally wet spring, only 12 acres were planted and harvested. Average acreage 36. My allotment was set at 20 acres. I appealed, but my appeal was not recognized.

Controls are not the answer, for one control brings on another, and Mr. Freeman will admit that his aim is complete control for all of agriculture. How will these controls be voted into effect—by less than 10 percent of the producers of a particular product? How come the minority has taken over?

Now the Extension personnel must preach his ill-advised doctrine. Control of education. Control of information—be it correct or incorrect.

Wake up, Washington. You are asleep to the menace of the state planners—agriculture first, then all the economy thereafter.

If I cannot survive in the occupation of my choice under free enterprise (under Government controls, never) I am willing to try other lines of endeavor until I find some means of gainful support. Sink or swim, let me make the choice.

Yours very truly,

L. J. DENMIRE.

WILTON JUNCTION, IOWA,
February 21, 1962.

DEAR SIR: After listening to the Secretary of Agriculture on "Meet the Press" last Sunday, I became more than ever convinced that I should write you concerning said program of the administration.

The Secretary said, "The farmer has a choice"—may I ask what choice there is in voting "yes" or "no"—no alternative? And, why should a program to regulate agriculture in such a manner be the thought of any thinking man who claims to represent agriculture? The suggestion that the farmer will accept or else—doesn't he realize that not only isn't an answer, but is a very good way to set individuals and communities on a most divided pathway.

Many farmers in eastern Iowa are good farmers, not big necessarily, but producing well, not to flood the market, but to enable themselves to make a living and to pay the ever-increasing taxes. There are many 80- to 120-acre farms in this area. It takes all these farms can produce to pay necessary taxes, insurance, and so forth. How can these people, voting against such a referendum, would incur the displeasures of many who could financially manage? Is it desirable to cause more strife in our present world? After all, Iowa farmers are not yet serfs—neither do I think other American farmers are in such a class.

Usually, in our homes, when we find we cannot afford certain things, we drop luxuries—but our Government procedure seems to be to continually stifle the ambition which spurs man to accomplishment by ever-increasing taxes.

More of the integrity of Lincoln, more of the high standards of our forefathers is the most needful thing in Government.

Noting your stand on taxes in the past and feeling that you can intelligently assess this newest gimmick for agricultural control, I am writing to you to please consider a vote against this.

Very sincerely,

MRS. ORREN I. KISER.

MUSCATINE, IOWA,
February 21, 1962.

MR. SCHWENGEL: What is the trouble with the American people? Everyone looking for something for nothing. This originally was the land of the free and the home of the brave. Now it's the land of Government control and the home of cowards. This farm progarm is the most vicious thing that anyone could conceive of. The pilgrims came to America, fought Indians, wild animals, and the elements so that they could be free. Now for a paltry few dollars we want to throw it all away. People make remarks about sheep following the leader. People are no different. Most farmers I talk to say they know it isn't right but they say, "Well, it's bound to come." Another SCA big shot says as long as they dish it out I'm going to take it. As far as I'm concerned SCA and ADC is in the same class. Sealing corn when it was started was supposed to help the farmers so that he wouldn't have to sell at a loss. But it wasn't long till the grain men got around that. They put up big storage bins and the Government paid them for storage. Then when enough time had elapsed and they had collected the price of the corn for storage, they could then buy it for practically nothing. It isn't to keep the price up, it is to keep the price down and guarantee the feed men cheap grain.

Freedom from fear is a wonderful word. But you name one thing that they want that they don't get from intimidation. If you don't build schools according to our specifications, we will take away your Federal help. If you don't sign up for compulsory farm bill, we will sell the corn and ruin the price. If they want more money for war, they throw out a war scare, fallout, or something else.

The farmer that takes care of his farm and rotates his crop, is not cooperating. The fellow that puts all his land in corn, depletes his soil so that he can have a large corn base—he is a cooperator. It seems anything that is started out to do the people some good, it isn't very long until they have made a racket of it. I have cleared land and built farm ponds but I have never taken a cent of their money. I think most of the money that is spent for conservation is spent on the office help. The farmer gets blamed for getting everything for nothing. Well I have several other things, but I think this is enough for now. I know you hate for things that you know are wrong but you are afraid not to.

Yours truly,

CARL TOBORG.

P.S.—I heard, I think it was, DOUGLAS the other night and he said the Farm Bureau was against anything the Democrats wanted. Well, I know this mess was started by the Democrats. I see where Mr. Kennedy is asking for another $2 billion in case a depression starts. When they get the free market, they will need it. You know better than I that the foreign country can produce things cheaper than we can. They don't have this high-priced union help. I think they make such a fuss over the farmer's plight. It is like sticking a person in the rear end so they can cut your throat.

CANTRIL, IOWA,
February 21, 1962.

DEAR SIR: We are very much concerned about the affairs of our Government. In fact, we question—is it the people's choice in many matters of legislation? If so, our country is getting far from our idea of a democratic country. If every phase of peoples' welfare has to be subsidized and controlled by our U.S. Government, it is no surprise that a lot of nonthinking people grab for what they can get without any incentive for working and reaching for goals to help our country and mankind.

Our idea is for the Government to stay out of all business—let each firm and individual work out their own problems. It will take time and effort on the part of all, but will eventually get back to the old law of supply and demand. For instance, the soybean industry was doing fine until Government took over. This is one example of many. Of course, we all will have to make sacrifices and will be hard to adjust, but taxes are getting so out of bounds at the rate we are going, it will soon be impossible for us to pay them, let alone pay off the public debt.

There is absolutely no need of any country as rich as United States is to be in such financial difficulties. We are all to blame by not shouldering our responsibilities and taking the "easy road."

We trust you will be one of the many Congressmen needed to help us back on the road to recovery with "do it for ourselves" slogan. Also, not a bigger Government but a better Government for all.

Sincerely,

Mr. and Mrs. WESLEY PIERCE
(Farmers on a small scale).

MUSCATINE, IOWA,
February 23, 1962.

Representative FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR FRED: The more Secretary Freeman talks about the Freeman-Cochrane long range farm program the more we realize the implication it will lead to if enacted as suggested by the administration. In order to make it work, Secretary Freeman admits strict controls on a unit basis would have to be enforced. You know, FRED, and also Mr. Freeman and Mr. Cochrane know, that eventually every farm commodity of any importance, including livestock production, would have to be controlled by the Secretary of Agriculture or some Government bureau.

I have enough faith in you, FRED, and your fellow U.S. Representatives and Senators, that you will stop the Secretary dead in his tracks in trying to force such a vicious long range program on the American farmer. I would consider it a tragedy if the administration's farm bill was enacted in its present form.

We have a very good picture in the dairy industry this past year as to what happens when the Government uses support prices to influence farm income. I notice Mr. Freeman tries to blame our present predicament in dairy production on a decrease in per capita consumption, which is true. But I wonder if Mr. Freeman and Mr. Cochrane, however, do not know that whenever you increase prices it tends to cover up demand and uncover supply. This is basic economics and Mr. Cochrane acting as Mr. Freeman's economic adviser should know this. The result is that in just one short year the Government has dried milk, cheese, whey and casein piling up so rapidly in government storage the Government has become alarmed. Can't we ever learn?

An issue I want to compliment you on is your stand against medical aid under social security law. This I am afraid would eventually lead to compulsory medical aid for everyone under social security. The King-Anderson bill would be a large step in this direction. Figures show that the great majority of our population already have coverage under some group plan or private policy. I feel this is a responsibility of the local and State governments who are closer to the situation. Let's keep our National Government out of medical aid under social security.

Another controversial issue that is getting wide support apparently is Federal aid for education. Here again I believe this problem can be handled on a local and State basis better. I know there is great pressure being exerted by the teaching profession for increases in teachers' salaries. Human nature being as it is the pressure will always be there whether salaries are paid by local government or the Federal Government. Let our local government handle the problem with the aid of our State governments. To pay part of our teacher salaries out of our Federal Treasury would open the flood gates and who knows when it would stop. You know, a dollar raised locally goes further than one sent to Washington and then returned by about 30 percent on this average. However, I would not object too strenuously if the Federal Government made available funds for building strictly on a businesslike basis if it was shown funds could not be raised locally and there was an obvious need.

With personal regards, I am,

Sincerely,

JAMES VAN NICE.

WINFIELD, IOWA,
February 26, 1962.

HON. FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR SIR: Since I am a farmer, I want to ask you to do your share in helping stop this Mr. Freeman from taking away our freedom. We farmers who have always been independent—feeding our own grain and keeping our land built up—are the ones who have a small grain base and are really being squeezed. We get along OK if we aren't forced to plant and raise a specified amount. The independent class of people would soon be reduced to servitude. Not only that, but

we would soon lose our world markets, our prices would still mount, and farmers' taxes increase each year. If they have to have a program, the soil bank would be much better but please leave the farmer his freedom for which our forefathers fought.

Farmers would constantly have to be guarded that we didn't overproduce, the courts would be full of law offenders, and just people would be trying to make an honest living against the increasing cost of living.

If this incentive is taken away from the farmer, we will soon be like the foreign countries who haven't enough food. By the time the Government wakes up the incentive will be gone and we will be on some sort of dole, blaming our underproduction on overpopulation.

I'm sure any Congressman from Iowa won't go along with this program, but I didn't think a Minnesota man would either.

Thanking you.

Sincerely yours,

MILES D. SHELMAN.

LADORA, IOWA,
February 26, 1962.

Congressman FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR MR. SCHWENGEL: The farm program as outlined by the administration is very bad for the farmers. Your new cropland retirement bill is more in line with the farmers' ideas.

Any cropland retirement or cutting of surplus will be of no avail to bring up the farm income, until the real problem is solved that of the labor, or rising cost. However your program probably will help us cut back production. The farmer knows his problem is the rising cost. These are many, so I am sending you just one clipping. Price supports have built up a false market and have encouraged overproduction.

The farmer had to cover more acres to get back the cost of machinery and make a profit for other operations. This has been one of the biggest reasons for the feed-grains surplus, dairy and others. Do you know that now there is available on the market corn-pickers for much narrower rows. You can make all the land retirements, in any form and the farmer is going to get more out of his land, by heavy fertilizing and equipment, thicker planting, plus terracing, tiling and now narrower rows, to cover his cost.

My dad did not believe in having his 300 acres overcropped. It is all cropland too, so he managed it very carefully. They usually planted 90 acres of corn, that was all the cribs held, and what one man (renter) could take care of. Now his corn base is so small that the renter cannot afford to cut back. Under the present setup a farmer whose cropping history shows a high rate of conservation crops, legumes for example is forced to maintain that amount of cover crop. On the other hand a farmer whose cropping history shows a low rate of conservation cropping can go on raising a low acreage of cover crops, and a high acreage of feed stuffs. He will cut out a few acres, then push the rest of the land to the limit. The program should be more equitable.

On my 120 acres the land is highly productive, and I go to a 3-year corn. With a creek cutting into it, then again another corner cut, fences have been put in for that arrangement. Last year I could not go in the program because we were on the third year of corn, and the other fields would not work out according to pasture and hay. This year I hope I can take out that corner of 10 acres, and not have to buy fence. The program should be for a long-range planning.

Livestock controls: Suppose the seeding does not come up in the spring, a farmer can put in its place pasture, and buy cattle, or he can put in corn if he has the buildings fixed to raise more fall pigs. But if they control the livestock in any way we would have to run to the ASC office, to report or we would have to borrow from next year, or be at a loss, for the rest of the year. Then, too, suppose a field is in oats, the wind blew it down. Your own livestock now can clean it up, or you could buy more calves, cows, or sheep. Might wish to bale it up, and sell your hay crop, but if they controlled your operation you are just sunk. Or it might be that the hail damaged your corn too late to replant, then you could still reseed it, and pasture, but if there are controls, your income is limited.

It is unfair to control farming without controlling wages, or industry. Why should they be allowed to make a choice of expanding or have free enterprise and not the farmer. Especially when the main trouble comes from that part of the economy.

The farmer pays his taxes for new school building or other public works, so he is subsidizing labor wages. There is no difference. Labor unions have too much power, and should come under antitrust laws, and Government controls, unless they do we are going to have more unemployment. Industry will continue to find ways to eliminate them, the same as the farmer was required to do.

Our agricultural States of the Midwest helped pay the unemployment benefits for many in the big cities. For my part they should be made to work for there is work available, but some of it seems to be beneath them. I know there are disaster areas where this does not apply, and that has a different problem (retirement) and so on.

I agree that our farm children should have a chance at college, and not come back to the farm, but I can't see the farmer moving to town and adding to the cities' already overcrowded problems. The big demand is now for those with an agriculture background, even without benefit of college.

True labor has a big problem. I think I know labor problems almost as well as anyone. I too have been in with labor meeting after and during the war, with committees trying to work out something until we could get more new industry. I would think it would be better to have more working for less than have fewer working for more wages, benefits, etc.

A question: If farmers and their organizations cannot agree, COOLEY said then we shall have no legislation of any lasting benefits. One would not expect one union to represent all crafts. A typist belonging to that union, and an electrician doing a job would not see things equally. Neither a contractor belonging to the building trades, see the same as those belonging to the maritime unions. Or in your case, Congressmen from one agricultural State would not see things as a Congressman from another. When they say this it makes me think of the blind men who described the elephant: Each touched the animal on a different part so came up with separate answers.

A congressional idea: To remove surplus now, then in a few years we go to supply and demand, and make more money. You can prove just how impossible that is going to be by looking ahead 4 years to the year of 1966.

The corn surplus is gone, and we are on a supply and demand. Where only a few were feeding 90,000 head of cattle in 1962, now there are many more in the year of 1966 across the Southern and Western States. After we have grain to sell, and it is in short supply, we ask a price of $1.50 a bushel. Our answer from the big feeders will be we can't afford to pay that much, for we will have to raise the price of beef, which we can't do. If we raise the price of beef these markets are going to import beef. Since we will not take less for our corn, then you will see these feeders importing feed grains from the Common Market. (It might happen anyway.) So we will be forced to take less for our corn than we now can sell for, and we will still be under Government controls. For by that time we will not have the cattle and hogs here in the Midwest to feed the grain to; they will have been pulled out into the big feed lots. We can't compete with the big feeder any more than the little grocer did with the supermarket in his town. This sort of thing has happened to the chickens and eggs. The grain dealer and the big feed companies took care of that.

When we continue to get bigger farms, we will have the same problem that history has again repeated: Example, Argentina today or China yesterday. The millions in the cities will want the land reforms; they always have.

Milk: This raising the price after Freeman got in was uncalled for. What else would he expect? There was no secret about the boast of sales in dry milk. You cannot get more efficient in milking except by high-production cows, which most farmers already have, or going into a $20,000 milk setup, which many have done for grade A milk. Then the others will have to go to a $20,000 setup or get out of grade B milk. The once grade B milk check and the egg check bought the family groceries, and those extra things for the farm home; yes, they even sent children to college. So the Federal Government is going to help educate them; there is no difference.

The Des Moines Register last Sunday had a cartoon by Darling, showing Indians, trees, stumps, rocks, trails, and all other troubles for a farmer, then it took one corner and put the farmer with corn, cattle, and pigs all over. Then it said he did not get there on a 40-hour week.

The South repeats the saying so often: We were compelled to cut our cotton and tobacco acres back. What they don't say is that there was no cross compliance then, so they planted corn and went into dairy, farming, etc.

I don't know if anything I have said here is worth anything to you, or will have helped with this farm problem coming up. You can be assured of one thing, and I am not just speaking for myself, but many other farmers, that we do appreciate what you are doing for us.

Sincerely yours,

Mrs. FRANKLIN LILLIE.

WICHITA, KANS., SELECTED AS AN ALL-AMERICAN CITY

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SHRIVER. Mr. Speaker, it is a great privilege for me today to pay tribute to the citizens and the city of Wichita, Kans., upon being selected by the National Municipal League and Look magazine as a 1962 all-American city.

Wichita is one of 11 American cities to receive this distinction. The competition was keen. Wichita was one of 350

cities across our Nation nominated for this honor. Eighty-six cities were selected to make final presentations at the National Municipal League Conference in Miami Beach, Fla., late last year.

It is with considerable pride that I join in congratulating the people of Wichita, and I especially want to commend the National Municipal League Conference and Look magazine for conducting such a worthwhile program of community recognition.

I know Wichita, Kans., and its people. Wichita not only is a part of the congressional district which I represent, it is my hometown. I was raised in Wichita, attended public schools there, and received my bachelor's degree from its University of Wichita. My wife and I have raised our family there. I have practiced law in Wichita. Before coming to Congress more than a year ago, it was my pleasure to serve in the Kansas Legislature as the representative of the citizens of Wichita and Sedgwick County.

The 342,000 citizens of Wichita have entered the decade of the 1960's with a progressive outlook and a program of action.

These people are not waiting for the Government to get things done. They have voluntarily set into action programs designed to make Wichita a wonderful place to raise a family.

First, they have fought and succeeded in retaining the commission-manager form of government which has operated since 1917. They have joined in electing a unified city commission. Only last year they approved a $15 million bond issue for a new civic center, library and auditorium. They are about to proceed with a countywide reappraisal of property.

Citizens from every walk of life have contributed to the development of a successful United Fund organization providing numerous health, education, welfare and youth services. Wichita is proud of its outstanding symphony orchestra. It boasts one of the finest collections of American contemporary art in the Nation.

Yes, Wichita—like most American cities—has problems. It hopes that its impressive aircraft industry can continue to qualify for an important role in the Nation's defense efforts. Wichita also is working to broaden its industrial base by locating new businesses and industries here. It is striving within its resources to provide a quality program of education for its young people from kindergarten through university. The city is about to achieve a solution to its need for new water resources through the joint efforts of the community, State and Federal Government. These are but a few of the problems which Wichita faces.

The recognition which has been bestowed by the National Municipal League and Look magazine is evidence that the people of Wichita recognize their responsibilities in actively working for the solutions to their problems.

I am certain that the all-American city of Wichita accepts this honor as a challenge to continue moving ahead. You will find the citizens of Wichita in Kansas in the forefront working for the growth and betterment of their city.

STAR ROUTE CARRIERS

Mr. ICHORD of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD of Missouri. Mr. Speaker, the Civil Service Retirement Act, together with the Federal Employees' Group Life Insurance Act and the Federal Employees Health Benefits Act, in my opinion, constitutes fine legislation that makes an important contribution to the success and efficiency of our civil service system. However, there is one important group of dedicated public servants who have been overlooked due to what might be called a technicality. I refer to the star route mail carriers.

Technically, the star route carriers are classified as self-employed contractors. In actual fact, however, their work more resembles that of Government employees. The scheduling of their work is done by the Government, and for most of them, their full working time is required. Their compensation is modest. Many of them have been carrying the mail for many years, quite a few for periods as long as 20 to 30 years and even more. Despite this long governmental service, however, these people have been denied the protection and security which is available to other Government employees. This is a particular hardship in those cases where a star route is discontinued. The man who may have been carrying this route for 20 or 25 years is forced to seek other employment, at an age when this is very difficult.

Mr. Speaker, I am introducing a bill to bring these star route mail carriers within the purview of the Civil Service Retirement Act for retirement benefits, and also for life insurance and health benefits. It is not compulsory, but it gives the star route carriers the right to elect to come under the law. It is patterned after the law which brought Agricultural Stabilization Conservation Committee office employees under the Civil Service Retirement Act, and in my opinion, it will correct a longstanding inequity.

THE UNITED NATIONS IN THE WORLD TODAY

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, the United Nations must be evaluated in terms of the real world in which it functions. In terms of the hopes of 1945, let us agree that the United Nations has fallen short. But in terms of the real world, a world of turmoil and revolutionary change, the United Nations has proven itself to be a most valuable instrumentality in the pursuit of a more civilized order of international affairs. That the United Nations has defects is undeniable. But it also has significant achievements to its credit, and still more significant prospects.

The United Nations was conceived in 1945 as a genuine international authority with organic powers to make and enforce decisions acceptable to the five permanent members of the Security Council in response to any "threat to the peace, breach of the peace, or act of aggression." It didn't work out as planned. The growing conflict between the Communist powers and the free nations forced a retreat from the original conception to more traditional means of voluntary coordinated action among the members. This is the basic significance of the evolutionary transfer of authority and influence from the Security Council to the General Assembly as the former became increasingly paralyzed by the veto power of the Soviet Union. These changes have little if anything to do with any defects in the charter. They are the direct reflection of the world power struggle between the Communist bloc and the West.

The most significant development of the United Nations through the 1950's was the evolution of the office of the Secretary General as a special center of authority for the conciliation of disputes and the peaceful settlement of local conflicts which threatened to burgeon into world conflict. Under the secretaryship of Dag Hammarskjold the office evolved toward a considerable measure of independence. As a result of operating responsibilities and many resolutions which conferred discretionary authority upon him, Hammarskjold acquired an impressive degree of authority as a policymaker, far beyond the essentially administrative functions conferred by the charter. In some instances, notably the Suez crisis of 1956 and the Congo crisis which began in 1960, the Secretary General exercised preeminent influence in bringing about tolerable settlements and preventing the spread of conflict, as in the case of Suez, or chaos, as in the case of the Congo.

The Soviet assault on Hammarskjold and agitation for the troika were designed to reduce the Secretariat to the same condition of paralysis that afflicts the Security Council. The attack was precipitated by Hammarskjold's success in thwarting Soviet aspirations in the Congo, that is, by the success of the United Nations in frustrating Soviet indirect aggression in central Africa.

It was generally expected at the time of Hammarskjold's death that the Russians would seize the opportunity to paralyze the United Nations by insisting on the troika, consisting of three coequal

Secretaries General each wielding the power of veto. This has not happened. The Soviet Union receded from the troika demand and U Thant of Burma was elected Acting Secretary General with freedom to name his own advisers and to make his own decisions. Constitutionally and morally the office of Secretary General has been substantially preserved. This is extremely significant. U Thant has continued the vigorous policy of the United Nations in the Congo, an operation which has now brought that unhappy nation toward a measure of stability and unity which seemed unattainable as recently as a few months ago.

The Secretary General will be free to continue to exercise his most important role, that of a mediator among all powers, great and small. This substantial achievement was principally the result of the rallying to the United Nations of the small and weak powers whom many Americans often denounce as being "in the Soviet pocket." The small powers rallied to the United Nations because the world body provides the only instrumentality through which they can play important roles as independent nations in international relations. They value their recently won independence above all things and they have come to identify its preservation with the United Nations. In the final analysis the new and emergent nations of Asia and Africa are basically as determined to preserve their independence from the new imperialism of the Soviet Union as they were to win it from the old imperialism of the West. The net result of this determination is to bolster the strength and viability of the United Nations.

The character of the United Nations has been as much altered by the great increase in membership consisting of the newly independent nations as it has been by the East-West conflict. The emergent nations, most of which are neutralist in the cold war, place high value on their membership as a symbol of their national prestige. Moreover, they are conscious of the fact that in the United Nations they find it possible to exercise influence in the world quite out of proportion to their power. This leads to a high degree of frustration on the part of many Americans who feel, quite naturally, that it is high time the neutrals took sides. These nations, it is pointed out, have not exercised the influence they can muster in support of the peace enforcement functions of the organization. Questions are raised, quite properly, over the fairness of the double standard. The answer depends in part on one's definition of neutralism. In the context of international power struggles, or survival struggles, as the case may be, neutralism is not, and never has been, the same as disinterestedness. The latter implies judicious consideration of the merits of an issue which may well lead to a firm stand on one side or the other. On major cold war issues the neutrals cannot be said to be disinterested in the sense defined. They are all too often inclined to be neutral as between the great powers regardless of the merits of the issue involved. This is not, however, a full answer to the question. The intent of the charter undoubtedly is not fulfilled when members adopt positions of neutrality between upholders and violators of the charter.

Moreover, the zealous dedication of many of the neutrals to the cause of national independence movements throughout the world has led them on at least one occasion—that of India's forcible seizure of Goa—to a posture of extreme irresponsibility in upholding a nation's resort to force in clear violation of the charter.

Conceding both the illogic and the unfairness of this double standard, the influence of the uncommitted nations in the United Nations is still a constructive force, serving as a necessary restraint against the excesses of great power enmity. The influence exercised by the neutrals derives from their opposition to great power blocs to win their support on cold war issues. The result of this is that colonialism and the desire of the two tion of the long-submerged nations of the United Nations itself has become a significant force in the furtherance of the rise to independence and self-asser- Asia, Africa, and Latin America. In the long run the rise to self-assertion will be an additional force to resist Soviet or any other imperialism.

It is extremely important in assessing the role of the United Nations in world affairs to look beyond its political successes and failures and take due cognizance of its extremely important economic and social functions. Throughout the world the United Nations is doing valuable work in such fields as child care, health, and education. There are millions of people who think of the United Nations in terms of their experience with its 3,300 doctors, teachers, economists, and specialists in many other fields who are scattered over the world. They know of malaria stamped out, of better crops, of healthier children, of schools for children who never before have had the opportunities of education. To these people of the poorer countries of the world the United Nations represents food, medicine, seeds, tools, technicians, and schools.

It is suggested at times by Americans who are disillusioned by the failures of the United Nations that the United States ought to withdraw from the world body. To withdraw from the United Nations would be disastrous folly. We would thus deliver into the hands of the Soviet Union the political, social, and economic instrumentalities which are so highly valued by hundreds of millions of people all over the world and leave ourselves isolated from the one organ of potential world community. At the very least the United Nations is a valuable symbol of our hopes for a genuine global collective security organization. It is a safety valve through which pressurized steam is funneled, lets off a warning whistle, and escapes.

More than all of these, the United Nations has served in very specific and very concrete ways as an effective agency for the maintaining of relative order and stability. In circumstances far more adverse than any encountered by the League of Nations, the United Nations successfully thwarted aggression in Korea whereas the League had failed in Manchuria, Ethiopia, and elsewhere The United Nations helped restore peace in the Middle East in 1956, and the United Nations Emergency Force has served as a stabilizing peace-keeping force ever since. Show me the person who has visited this area who is not thankful for the blue United Nations flag that flies over the lonely no man's land between the outposts of the Israeli and Arab lands of the Middle East. In the Congo the United Nations has helped the country move from total chaos toward a measure of stability while at the same time thwarting Soviet interference.

To the extent that the United Nations has fallen short of its original goals, there is room for comment and criticism. But it must be stressed that these failures are the direct result of world tensions that have been close to the breaking point, and not the result of any flaws either in the structure or in the machinery of the United Nations itself. Because these tensions exist, and have been close to the breaking point, they have led to frustrations which have compelled some—too many, I fear—to seek panaceas in slogans of reaction, to oversimplify when simplification is impossible and even worse, to suggest counsels of total despair. Some have recommended that the United States withdraw from the United Nations altogether. Others would block important and necessary measures designed to keep the United Nations economically healthy and therefore politically capable.

These are some of the considerations that underlie the current deliberations of the Congress regarding the United Nations bond issue. The basic issue is not the technical question of whether the bond issue is a financially sound means of restoring and bolstering the ability of the United Nations to meet its obligations for preventing chaos and maintaining order in the Middle East and the Congo. My own view is that it is a practical means of solving the immediate problem. And without doing substantial damage to the proposal, or to the action of the United Nations in making it, safeguards can be written in which will insure that the United States will not be carrying an unduly large share.

In any event, the bond issue in no way will release the Soviet Union or any other country in arrears from the obligation of paying its past unpaid assessments for the operations in the Middle East and the Congo. Furthermore, if the International Court of Justice rules, as we hope it will, that these special assessments are binding obligations under the charter, the way will be open to deprive the delinquent nations of their

votes in the General Assembly. It must be noted also that the Soviet Union is not refusing to support the United Nations operations in the Middle East and the Congo merely because it enjoys being obstreperous and uncooperative. It is doing so because its own objectives, which are to create disruption and chaos in these parts of the world and thereby to pave the way for Communist conquest, are being thwarted by the operations of the U.N. in these areas. To argue that the United States should withhold its support from the U.N. operations in the Middle East and the Congo because the Soviet Union refuses to support them is equivalent to contending that the law-abiding citizens of a community should refuse to maintain a local police force because the criminal element does not share their enthusiasm for the agencies of law enforcement.

Much more important than the technique employed in solving the immediate cash shortage, however, is the basic question of whether it is vital to the interests of the United States to maintain the United Nations as a viable and dynamic international organization. The bond issue may not be the only possible means of solving the financial problems of the U.N., but the General Assembly has acted upon it and has, by common consensus, chosen this means. That there may have been reasonable alternatives is beyond guessing. For the Congress now to repudiate the action would be widely, even if mistakenly, interpreted as a repudiation of the United Nations itself.

The basic question, then, goes to the core of our foreign policy, our long range national objectives, and our conception of the kind of world community we would like to build. It seems to me beyond doubt that the Charter of the United Nations, unfulfilled though it is in today's troubled world, embodies the most fundamental aspirations of all Americans and of all free peoples. Peace, human dignity, the liberty of the individual, the rule of law, social and economic well-being for all men—these are the aspirations of the United Nations. Only by continuing, patient, and unwavering support of the world organization, despite its present failures and defects, can we hope to make an ultimate reality of the purposes of the United Nations, as set forth in the preamble to the charter: "to save succeeding generations from the scourge of war"; "to reaffirm faith in fundamental human rights"; "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained"; and "to promote social progress and better standards of life in larger freedom."

TARIFF WALL OBSTRUCTS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, last year, when President Kennedy addressed the people for the first time from that high office, he called upon each of us to be willing to make some sacrifices so that this Nation might continue to move forward, to prosper and to grow.

Now we are engaged in the struggle for the minds and hearts of men all over the world—it is a costly and difficult struggle which cannot be overcome easily or quickly—it is not one which we can meet alone.

Unity of purpose extends beyond the battleline—it penetrates deeply into the socioeconomic fiber of the Nation—it asks each of us to sacrifice for the general well-being.

Mr. Speaker, one of the most important and crucial issues facing this session of Congress involves the President's proposed changes in the world trade program. Every American—be he a businessman, farmer, worker, miner or consumer—has a vital stake in this matter.

After being on the statute books since 1934, the current reciprocal trade agreements program is scheduled to expire on June 30. It has served our country well; we have prospered; our exports have grown from about $2 billion to over $20 billion per year. But this program, like all others, must undergo review by Congress to determine if it is meeting—and will continue to meet—the needs of our people in these difficult times and in this complex world.

In undertaking any extensive revision of the present trade program, this Congress will be faced with problems not easy to solve nor insignificant in scope.

Ultimately, our aim must be to promote the longrun general well-being of our Nation and our people, and yet we must, at the same time, do our best to safeguard our present position and prosperity. This will be no easy task because lower tariffs will mean readjustment, and that in turn may result in some hardships for some industries and many Americans. The problem confronting us is: "Can we move forward, prosper and grow without undue sacrifice or must some of our industries and people be offered as the 'lambs' for this advancement?" Mr. Speaker, no single industry, no group of single industries—be they domestic mining, domestic livestock production, domestic textile production, or any other—should be wholly or unduly sacrificed to accomplish our desired objectives. Whatever sacrifices are needed should be equally shared by all. This is the American way.

Mr. Speaker, it is our difficult duty to solve this dilemma. In so doing, we must keep in mind the temper of the people—their needs and their desires. But we must also recognize the interest of future generations who will live in the world which we leave behind.

Mr. Speaker, our decision must recognize that progress often walks with hardship and sacrifice; that we cannot merely take, but must give as well; that the world, in this age of atoms and astronauts, is fast becoming one which requires interdependence with other nations and peoples if we are to survive.

In an address not unlike the one by President Kennedy, another great President, Franklin D. Roosevelt, said:

> We have learned that we cannot live alone, at peace; that our own well-being is dependent on the well-being of other nations, far away. We have learned that we must live as men, and not as ostriches, nor as dogs in the manger. We have learned to be citizens of the world, members of the human community.

Mr. Speaker, it is not often that we have an opportunity to view attitudes and opinions far beyond the scope of our own districts, but when an exceptionally fine editorial appears in our newspapers, many Members bring them to our attention. I have with me just such an editorial from the Daily Sentinel in Grand Junction, Colo. It is one which I believe is well worth the attention of every Member of Congress. The editorial follows:

TARIFF WALL OBSTRUCTS

There will be a battle in Congress over the lowering of tariff walls. Even though the principle has been endorsed by leading businessmen of both parties Congress shows little inclination of accepting the idea.

Pressures from individual districts will provide much of the opposition and vested interests in specific businesses will provide others. Few will have the courage to say, as one leading industrialist has said: "I urge you not to save any particular industry—even my own. But that you apply yourselves diligently to saving the whole of our free enterprise economy."

This is what is at stake. Americans who would bury their heads in the sand simply demonstrate ignorance of the force and fervor of the European Common Market. It intends to recapture many of the world markets and it intends to succeed in reestablishing and promoting Europe's financial welfare. It will not do business with countries maintaining high tariff walls and it will be in heavy competition with those countries. It's a matter of dollars and cents.

There is a possibility that lowering tariffs will mean readjustment in some fields of production. There is a possibility that it will mean hardship in some fields. But it is an absolute certainty that if America does not prepare to work with the ECM the entire economic structure of the country will be disrupted. And within a few years it could mean serious repercussions not just for a few but for all businesses.

Those whose concern is with the immediate present and specific business will pressure Congress. Those concerned with America's economic future must recognize that they will have to tip the balance with their own pressures in favor of a far-reaching policy on which to build a stable United States and a stable world market.

EDWARD P. CLIFF

Mr. HORAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, on March 17, 1962, Dr. Richard E. McArdle, after 39 years of distinguished service with the U.S. Forest Service, will retire as Chief of the Forest Service. It was announced last week that the new Chief of the Forest Service would be Edward P. Cliff. He should make an outstanding Chief Forester.

Ed Cliff began his work with the Forest Service on the Icicle River as assistant ranger of the Leavenworth Ranger District on the Wenatchee National Forest, located in the Fifth Congressional District of Washington State, which I have the honor to represent in the Congress. Frank Folsom was the district ranger in the Leavenworth area at the time, and Gilbert Brown was supervisor of the Wenatchee National Forest.

Cliff was born in Utah and received his bachelor of science degree from Utah State University in June of 1931. On August 13, 1931, he was appointed Folsom's assistant for the Leavenworth district. He had been recently married and arrived with his bride in the afternoon of August 19. It was hot and in the middle of the fire season. Later in the day he drove to Wenatchee to report to Supervisor Brown, who had just recently replaced Hal Sylvester, the highly regarded supervisor of the Wenatchee National Forest.

The depression was on and some pundits were predicting it "might run until 1935." The Civilian Conservation Corps had not yet begun their work on the Icicle. Our new chief forester remained in his Leavenworth post for 3 years.

Between May 1934 and 1939, he was in charge of wildlife management in the Pacific Northwest region with headquarters in Portland, Oreg. In May 1939, he became Forest Supervisor of the Siskiyou National Forest, and in January 1942 was transferred to the supervisorship of the Fremont National Forest, both in Oregon. Mr. Cliff was transferred to Washington, D.C., in April 1944, as Assistant Chief of the Division of Range Management. In September, 1946, he became Assistant Regional forester in charge of the Division of Range and Wildlife Management for the intermountain region, with headquarters in Ogden, Utah. He became Regional Forester for the Rocky Mountain region with headquarters in Denver, Colo., in January 1950 until his transfer to Washington, D.C., in 1952.

It was while he was stationed at Denver that I first met Ed Cliff. The bark beetles had taken over a half million acres of important watershed near Kremling, Colo. These were the headwaters of several important rivers, including the Colorado, and we were spending sizable sums to bring the beetle infestation under control. Cliff was in charge of the work. As a member of the House Appropriations Committee, I, along with the Honorable CARL ANDERSEN of Minnesota, went out to see the progress. With Mr. Cliff we flew over the devastated area. The project proved a success, and the watershed was saved.

When he was reassigned to Washington, D.C., Ed Cliff was named Assistant Chief in charge of the National Forest Resources Management Divisions handling the timber, watershed, ranger, wildlife and recreation activities on all of our national forests.

Since 1955 Mr. Cliff has been the U.S. Department of Agriculture representative on the Board on Geographic Names and was appointed Chairman of the Board in 1961. He is a member of several professional organizations.

The Cliff family, Ed, his wife, and two daughters, reside in Alexandria, Va. The proper management of our abundant national forest lands is essential for the continued development of the timber resources. I am most confident that the Forest Service, under the direction and leadership of Ed Cliff, will continue to provide this sound management, as it has done for many years under the direction of Dr. McArdle. I know all of us join in wishing Ed Cliff every success in his new position.

ASKS ADDITION TO FORT HAMILTON VETERANS' HOSPITAL

Mr. CAREY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY. Mr. Speaker, Kings County, Brooklyn, N.Y., has the largest veteran population of any county in the United States, numbering nearly half a million former servicemen. The 1,000 bed veterans' hospital at Fort Hamilton, which serves this, as well as other, neighboring counties, has been operating at, or over, capacity for some time.

I have this day introduced a bill to increase the size of this hospital by the construction of a 350-bed addition to be devoted to rehabilitation and restoration use. This would be in keeping with the policy of the Veterans' Administration as evidenced by like installations contemplated at Hines General Hospital in Chicago, Ill., and the veterans' hospital at East Orange, N.J. The intent in planning this wing for rehabilitation and restoration would be to permit ambulatory and recovering patients who do not need the full physical care and medical treatment afforded by the present hospital, to receive convalescent and nursing treatment for a limited time prior to their return to homes and families. It would also envision the instruction of relatives and others in methods to be used after discharge from the hospital to complete the veteran-patient's full recovery with home care. Most importantly, it would relieve the present strain on capacity of the hospital, especially with regard to emergency patients in need of full medical and physical care where prompt treatment can prevent worsening illness or even undue fatalities. This strain on capacity will surely grow worse as the World War II and Korean veterans approach the middle years and the aggravation of many service-connected disabilities.

I believe this legislation to be timely, as well as proper, in that the original plan for this hospital would have provided capacity equal to the present hospital with the enlargement I propose.

ANNOUNCEMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that it is planned to call up a conference report on the bill H.R. 8723, the Welfare and Pension Plan Disclosure Act, at 11 o'clock tomorrow morning.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. DINGELL, for 1 hour, tomorrow, Thursday, March 15, 1962, immediately following the remarks of Mr. CURTIS of Missouri.

Mr. BOW (at the request of Mr. KEITH), for 30 minutes, on March 15, 1962.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FOGARTY in five instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1991. An act relating to manpower requirements, resources, development, and utilization, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 15, 1962, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIII, reports of tive communications were taken from the Speaker's table and referred as follows:

1805. A letter from the Secretary of Commerce, relative to a report by the Comptroller

General of the United States, and an audit of the Weather Bureau for the fiscal years 1959–61 that disclosed an overobligation of seven allotments under the "Salaries and expenses" appropriation for fiscal years 1959–60, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

1806. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army and the Army General Staff on December 31, 1961, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

1807. A letter from the Administrator, Agency for International Development, Department of State, transmitting a draft of a proposed bill entitled "A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes"; to the Committee on Foreign Affairs.

1808. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of the Department of Commerce on the activities and transactions of the Administration for the period October 1 through December 31, 1961, pursuant to the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

1809. A letter from the chairman, U.S. Atomic Energy Commission, transmitting a draft of a proposed bill entitled "A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes"; to the Joint Committee on Atomic Energy.

1810. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to amend section 144 of title 28 of the United States Code"; to the Committee on the Judiciary.

1811. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend the Internal Revenue Code of 1954 to remove restrictions on charges for forms, and for other purposes"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOORE: Committee on the Judiciary. H.R. 1701. A bill for the relief of Mrs. Kikue Yamamoto Leghorn and her minor son, Yuichiro Yamamoto Leghorn; with amendment (Rept. No. 1430). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 1703. A bill for the relief of Maximo B. Avila; with amendment (Rept. No. 1431). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2687. A bill for the relief of Miss Helen Fappiano; with amendment (Rept. No. 1432). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 5610. A bill for the relief of Pierino Renzo Picchione; with amendment (Rept. No. 1433). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 6773. A bill to repeal the act of August 14, 1957 (Private Law 85–160); with amendment (Rept. No. 1434). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1599. A bill for the relief of Pasquale Marrella; without amendment (Rept. No. 1435). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 6772. A bill for the relief of Hendrikus Zoetmulder (Harry Combres); with amendment (Rept. No. 1436). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 10726. A bill to provide flood control on the Big South Fork, Cumberland River Basin; to the Committee on Public Works.

By Mr. BLATNIK:

H.R. 10727. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor employment for young men and to advance the conservation, development, and management of national resources to timber, soil, and range, and of recreational areas; and to authorize pilot local public service employment programs; to the Committee on Education and Labor.

H.R. 10728. A bill to provide research and technical assistance relating to the disposal of solid municipal refuse; to the Committee on Interstate and Foreign Commerce.

By Mr. BOYKIN:

H.R. 10729. A bill to provide disaster loans to fishing vessel owners and operators adversely affected by failure of the fishery resource, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CAREY:

H.R. 10730. A bill to provide for the construction of a 350-bed addition to the Fort Hamilton Veterans Hospital in New York; to the Committee on Veterans' Affairs.

By Mr. COLLIER:

H.R. 10731. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 60 years; to the Committee on Ways and Means.

By Mr. EDMONDSON (by request):

H.R. 10732. A bill to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 10733. A bill to amend title II of the Career Compensation Act of 1949 to provide that enlisted reservists called to active duty during the Berlin crisis shall be entitled to $100 per month additional pay for duty performed pursuant to that call; to the Committee on Armed Services.

H.R. 10734. A bill to establish standards for hours of work and overtime pay of laborers and mechanics employed on work done under contract for, or with the financial aid of, the United States, for any territory, or for the District of Columbia, and for other purposes; to the Committee on Education and Labor.

H.R. 10735. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes; to the Committee on Education and Labor.

By Mr. ICHORD of Missouri:

H.R. 10736. A bill to bring certain holders of star route and other contracts for the carrying of mail within the purview of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEM MILLER:

H.R. 10737. A bill authorizing the project for flood control of Redwood Creek, near Orick, Humboldt County, Calif., and for other purposes; to the Committee on Public Works.

H.R. 10738. A bill authorizing the project for flood control in the Corte Madera Creek drainage basin, Marin County, Calif., and for other purposes; to the Committee on Public Works.

H.R. 10739. A bill authorizing the project for flood control in the Dry Creek drainage basin of the Russian River, Calif., and for other purposes; to the Committee on Public Works.

By Mr. MOULDER:

H.R. 10740. A bill relating to the appointment of rural carriers and postmasters from civil service registers; to the Committee on Post Office and Civil Service.

By Mr. PIRNIE:

H.R. 10741. A bill to amend title II of the Social Security Act to provide that a fully insured individual may qualify for the disability "freeze" and for disability insurance benefits with 20 quarters of coverage, regardless of when such quarters occurred; to the Committee on Ways and Means.

By Mr. SCRANTON:

H.R. 10742. A bill to amend title I of the Housing Act of 1949 with respect to eligibility for capital grants thereunder in certain hardship cases; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas:

H.R. 10743. A bill to amend title 38, United States Code, to provide increases in rates of disability compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H.R. 10744. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. MORRIS K. UDALL:

H.R. 10745. A bill to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects; to the Committee on Interior and Insular Affairs.

By Mr. WAGGONNER:

H.R. 10746. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

By Mr. WILLIAMS:

H.R. 10747. A bill to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANFUSO:

H.J. Res. 664. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mr. HAYS:

H. Con. Res. 451. Concurrent resolution authorizing the printing of additional copies of House Document 218, 87th Congress, 1st session, entitled "Inaugural Addresses of the Presidents of the United States"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 10748. A bill for the relief of Wesley J. Hjort of Medicine Lake, Mont.; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 10749. A bill for the relief of Edward Wong (Woo Kok Wan); to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10750. A bill for the relief of Achilefs Zavitsanos; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H.R. 10751. A bill for the relief of Robert Bertram; to the Committee on the Judiciary.

H.R. 10752. A bill for the relief of O'Brien Dieselectric Corp.; to the Committee on the Judiciary.

By Mr. HARDY:

H.R. 10753. A bill for the relief of Gerassimos N. Maratos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

252. Mrs. ST. GEORGE presented a resolution of the Ramapough Business and Professional Women's Club of Suffern, N.Y., requesting that the Federal income tax system be reviewed as now administered, which discriminates unjustly between single taxpayers, etc., which was referred to the Committee on Ways and Means.

SENATE

WEDNESDAY, MARCH 14, 1962

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. John E. Senglar, pastor, Sacred Heart Church, Phoenixville, Pa., offered the following prayer:

Almighty God, who hast deigned to grant strength and perseverance to our leaders, that they might guide our country's destiny in accordance with Thy will, we beseech Thee to be ever helpful to our President, to our Congress, and to all officials entrusted with the charge of State and local governments, that they may lead the people of the United States of America to temporal and eternal bliss.

We beseech Thee, Heavenly Father, the light of all that is true, do Thou make us clearly see the snares which could seriously weaken our freedom and independence, and grant us the courage to avoid them.

We also pray Thee, the support of the weak and the downtrodden, to look with a merciful eye upon the 2 million ever-loyal American citizens of Slovak descent, and upon Slovakia, the land of their forefathers, which today is suffering under the tyranny of an alien, brutal regime. With hearts truly grateful to Thee, O Lord, for the blessings of America, we implore Thee to make all men acknowledge the truth that Slovakia, too, is fully deserving of the blessed fruits of freedom and independence.

On this historical day, the 23d anniversary of the proclamation of Slovak independence, we betake ourselves to Slovakia's patroness, Mary of the Seven Dolors, imploring her to intervene with her Son to shorten the days of trial and tribulation of the Communist-enslaved Slovak nation, which is now preparing to commemorate, in 1963, the 1,100th anniversary of the blessed advent of the apostles Saints Cyril and Methodius to its territory.

Heavenly Father, Lord of the universe, we beseech Thee, grant true peace and freedom to all nations of the earth.

Lord, hear our prayers, and let our cries come unto Thee. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 13, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. BARTLETT, one of its reading clerks, announced that the House had passed the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 10079) to amend section 104 of the Immigration and Nationality Act, and for other purposes, in which it requested the concurrence of the Senate.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate Finance Committee be permitted to sit during today's session of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business for today, it stand in recess until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF SECTION 204 OF AGRICULTURAL ACT OF 1956

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend section 204 of the Agricultural Act of 1956 (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Secretary of Commerce, reporting, pursuant to law, on the overobligations of appropriations within that Department; to the Committee on Appropriations.

REPORT ON PROPERTY ACQUISITIONS FOR STOCKPILE PURPOSES

A letter from the Assistant Secretary of Defense, reporting, pursuant to law, on property acquisitions for stockpile purposes, for the quarter ended December 31, 1961; to the Committee on Armed Services.

REPORT ON NUMBER OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY AND ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff, as of December 31, 1961 (with an accompanying report); to the Committee on Armed Services.

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN MAGNESIUM

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 12,500 short tons of magnesium now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT ON ACTIVITIES UNDER MERCHANT SHIP SALES ACT OF 1946

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration on the activities and transactions of that Administration under the Merchant Ship Sales Act of 1946, for the quarterly period ended December 31, 1961 (with an accompanying report); to the Committee on Commerce.

FOREIGN ASSISTANCE ACT OF 1962

A letter from the the Administrator, Agency for International Development, Department of State, transmitting a draft of proposed legislation to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

REPORT ON REVIEW OF SELECTED RURAL DELIVERY SERVICE ACTIVITIES, POST OFFICE DEPARTMENT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of selected rural delivery service activities, Post Office Department, dated March 1962 (with an accompanying report); to the Committee on Government Operations.